

**ROUNDTABLE DISCUSSION: MEETING THE HIGHLY  
QUALIFIED TEACHER CRITERIA FOR SPECIAL  
EDUCATION TEACHERS**

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**HEARING**

BEFORE THE

SUBCOMMITTEE ON EDUCATION AND EARLY  
CHILDHOOD DEVELOPMENT

OF THE

COMMITTEE ON HEALTH, EDUCATION,  
LABOR, AND PENSIONS

UNITED STATES SENATE

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

ON

EXAMINING THE CRITERIA FOR SPECIAL EDUCATION TEACHERS TO BE  
“HIGHLY QUALIFIED” IN ACCORDANCE WITH THE REQUIREMENTS OF  
THE NO CHILD LEFT BEHIND ACT

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APRIL 27, 2005

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# C O N T E N T S

## STATEMENTS

WEDNESDAY, APRIL 27, 2005

	Page
Alexander, Hon. Lamar, a U.S. Senator from the State of Tennessee, opening statement .....	1
Kennedy, Hon. Edward M. a U.S. Senator from the State of Massachusetts, opening statement .....	2
Sessions, Hon. Jeff, a U.S. Senator from the State of Alabama, opening statement .....	3
Hagar, John H. Assistant Secretary, Special Education and Rehabilitative Services, U.S. Department of Education; Accompanied by Carolyn Snowbarger, Director, Teacher-To-Teacher Initiative, and Special Assistant for Teacher Quality, Office of Elementary and Secondary Education, U.S. Department of Education; and Rene Islas, Special Assistant to the Assistant Secretary for Elementary and Secondary Education, U.S. Department of Education; Jeffrey Langham, Superintendent of Education, Elmore County School System, Wetumpka, AL; James McLeskey, Professor and Chair, Department of Special Education, University of Florida, Gainesville, FL; Carol Ann Baglin, Assistant State Superintendent, Division of Special Education/Early Intervention Services, Maryland State Department of Education, Baltimore, MD; William Connolly, Teacher, Quirk Middle School, Hartford, CT; Lana C. Seivers, Commissioner of Education, Tennessee; and Mary Senne, Parent and Disability Community Advocate, Orlando, FL .....	6
Prepared statements of:	
Mr. Hagar .....	9
Mr. Langham .....	12
Mr. McLeskey .....	15
Ms. Baglin .....	17
Mr. Connolly .....	20
Ms. Seivers .....	23
Ms. Senne .....	26

## ADDITIONAL MATERIAL

Statements, articles, publications, letters, etc.:	
Response to questions of Senator Reed by John H. Hagar .....	44



## **ROUNDTABLE DISCUSSION: MEETING THE HIGHLY QUALIFIED TEACHER CRITERIA FOR SPECIAL EDUCATION TEACHERS**

**WEDNESDAY, APRIL 27, 2005**

U.S. SENATE,  
SUBCOMMITTEE ON EDUCATION AND EARLY CHILDHOOD  
DEVELOPMENT, COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 2:33 p.m., in Room 430, Dirksen Senate Office Building, Hon. Lamar Alexander, chairman of the subcommittee, presiding.

Present: Senators Alexander, Sessions, Kennedy, and Reed.

### **OPENING STATEMENT OF CHAIRMAN ALEXANDER**

Senator ALEXANDER. Good morning. I am Lamar Alexander and this is what we are calling a roundtable of the Senate Education and Early Childhood Development Subcommittee.

Now, I am not sure we know exactly what a roundtable is, but Senators usually have hearings. I discovered when I was a cabinet member and appearing before this committee when Senator Kennedy was the chairman, that I used to think they should have been called "talkings." We would be invited to testify, but I learned that the witnesses usually did better if they didn't say anything because it was the Senators who wanted to talk during that time. But we resolved on this occasion we wanted to do it a little bit differently and we are here primarily to listen.

Let me state what this roundtable is about. We will do some introductions. I will ask Senator Kennedy and Senator Sessions if they have some comments they would like to make. We will try and end this discussion by about 4:00 this afternoon, and other Senators, I know, are coming and going with the other events.

The purpose of this discussion that we are having today is to really—is to take a look at what I would judge to be about 200,000 teachers in this country. One of the questions we have is about how many teachers are we talking about that are affected by this. About 200,000 teachers who are special education teachers who teach children in special education classes or who are severely disabled and who teach multiple subjects in middle school and in high school. That is who we are talking about.

What we are talking about are the requirements of No Child Left Behind that these teachers be, quote, "highly qualified," and exactly what does that mean.

Now, our objective today is to see if we can help make sure that we in Congress haven't created a situation that makes it difficult for the teachers, because we have imposed a schedule that is a fairly rapid schedule for doing what we hope to do. Several of us thought it would be helpful if we just had an airing of the situation and invited representatives of the Department of Education and other groups to talk about it. Then there are many groups represented around the area. We are glad you have come, because we would like for you to communicate back to these 200,000 teachers, more or less, and their superintendents and their principals what the rules are so that they will know what they need to do between now and the end of the next school year—that is May 2006—which is when these rules go into effect.

Now, Congress took some steps to try to create more flexibility for States in dealing with these 200,000 teachers. By recognizing that, say, if you are in a rural area in Alabama and you are teaching special education children in high school and you are expected to teach five or six or seven different subjects to children who have different levels of understanding and who are at a different place in their journey through life. Some flexibility and practicality and common sense is required in applying the goal that we all have, that these children also have highly qualified teachers. So that is what we want to talk about.

One of our witnesses, who Senator Dodd will introduce, who is a teacher himself, in his testimony posed three questions, and those three questions seem to me to be the point of today's hearing. Here is his first question. What exactly do I have to do by the end of the next school year to demonstrate that I am highly qualified using the House option? Question two, will I have sufficient time to meet the requirements? And question three, what will the consequences be to me if I do not prove myself to be highly qualified? So those are really the questions that we seek to reach.

Now, before I introduce everyone else who is here, I would like to call on Senator Kennedy for any comments he might like to make. He might also like to make an introduction of an important person who is sitting behind him.

And then I will call on Senator Sessions, who offered an important amendment, which I cosponsored, toward the end of last session which wasn't adopted, but which was an amendment to try to extend the period of time that all of this could be worked out.

Let me say one other thing. If it is all right, Ted, and with you and Jeff, what I thought we would do is maybe keep our comments to a reasonable period of time. Then I'll ask Secretary Hager if he would take about 5 minutes to summarize where things are from the Department's point of view, and then ask each of you to take about 3 minutes to summarize where you think we are, and then we can go back and forth and have a discussion and ask questions.

Senator Kennedy?

#### OPENING STATEMENT OF SENATOR KENNEDY

Senator KENNEDY. Thank you, Senator Alexander, for having this hearing. I appreciate you mentioning my sister. I have been in the Senate now 43 years and my sister still is checking on me to make sure that her younger brother is performing well.

[Laughter.]

So, Eunice, we are glad you are here.

In a serious way, Eunice has devoted a very substantial part of her life, as all of you know, in the area of mental retardation, and founder of the Special Olympics, now in 150 countries and all of our States, and takes a special interest in the quality of teachers and teachers that are dealing with disabled and particularly with mentally retarded children, so this is something that she is interested in.

I thank you, Senator Alexander, for having the hearing. We don't do enough oversight generally here, and this legislation, both the No Child Left Behind and the IDEA, need the careful kind of oversight in a lot of different ways to find out ways that we can be useful and helpful in achieving what we attempted to achieve. I think you have outlined it very well.

I am here today to find out what we can do to help. What can we do to help? We have the legislation. I think we have now, with Margaret Spellings and also with those that are overseeing the IDEA, we have good people that want to try and make sure that we are getting the right message and to try and make this whole process work.

We know the importance of having a well-trained teacher. It is enormously important. We want those at the earliest possible time, but we don't want to scare people out of the areas, particularly in special education. We know we need not only good teachers, but we need good faculty members. We have the higher education legislation coming down the road that can be an instrument to try to provide some help and assistance, as well.

So I thank you. We are also interested, when I was listening to your question, Mr. Chairman, about the House complying that, we know that a number of States don't even have the implementation in terms of the House, so how are they going to deal with the sort of challenges that they are facing?

You have outlined the sort of challenge and I am looking forward to hearing from our really excellent panel that you have here today. We want to know what we can do to be of help and assistance to try and achieve the objectives as we wrote in the legislation. Thank you.

Senator ALEXANDER. Thank you, Senator Kennedy, and welcome, Ms. Shriver, who has a special relationship with Nashville because of Vanderbilt and Peabody and the work that is done there. We appreciate and welcome her frequent visits and interest in my home State.

Senator Sessions?

#### OPENING STATEMENT OF SENATOR SESSIONS

Senator SESSIONS. Thank you, Senator Alexander. I like this format. Right after the passage of the reauthorization of IDEA, I hosted such a roundtable in Alabama and we had a great discussion. We learned things. We had the Department of Education people there. It is much better than listening to Senators pontificate, I have no doubt about that.

[Laughter.]

If we listen to the people who do the work, we find sometimes we can make things a lot better, not even having to spend a lot of extra money to do so. Sometimes we just reduce burdens.

So we have been concerned about the quality of special education teachers. Everybody would like them better trained and better educated in precisely what they are doing, and I think our original No Child Left Behind requirements were confusing and unclear on special education particularly. I hope that the reauthorization improved the clarity of it.

Lamar and I felt like it was reasonable because we had been so late in clarifying the requirements, that we give at least 1 more year to these teachers to have a chance to meet those standards. We did not achieve that, but it was something that I thought was a valid concern.

I am concerned a little bit about the profession. I remember very well one poll from Washington State that the teachers' association ran that said, I think, about 70 percent of special education teachers did not expect to be in the profession in 5 years.

When I traveled the State, I had teachers come up to me and say, "Jeff, we are worrying about paperwork. We are not worrying about the children. You are making our job more difficult instead of making it easier. We have too many lawsuits and regulations and we are worrying about compliance with rules and not spending enough time on the children." So I tend to believe that was accurate. I had too many people tell me that who have given their lives to it, who have advanced degrees in special education.

So I think we made some progress with this last bill and I really am delighted that Senator Alexander has called us together to hear from your perspective, what we need to do about special education in general, but specifically about the highly qualified standards.

Lamar, do you want me to introduce—

Senator ALEXANDER. Yes. Why don't you introduce Mr. Langham.

Senator SESSIONS. He is sitting over here at the front. Jeff Langham has spent his career in education. He has held a variety of different roles, from school system curriculum coordinator to an administrator to staff development trainer, public relations director, and classroom teacher. He served as an educational specialist with the Prevention and Support Services Section of the Alabama Department of Education. He was at our roundtable we had in Montgomery a couple of months ago.

He has provided building-based student support team training and technical assistance statewide to teachers and administrators, and has served as a "Seven Habits of Highly Effective People" facilitator for Alabama's schools. He is currently the Superintendent of Education for Elmore County and at one point was principal for my staff, Prim Formby here, who I will note was valedictorian of Wetumpka High School.

[Laughter.]

She does a great job for me.

Thank you, Lamar, for allowing Superintendent Langham to join us.

Senator ALEXANDER. Thank you, Jeff.

Let me introduce a few other people, and then I will go to Secretary Hager and let him start.



I will start with Lana Seivers, who is our Commissioner of Education from the State of Tennessee. She has got a very broad career in the Oak Ridge High School system. She was superintendent. She has been on every Governor's advisory committee. She is the current Chief Education Advisor of our current Governor and has devoted a lot of her work, personally as well as professionally, to understanding the needs of children with special needs.

James McLeskey is currently a professor and chair in the Department of Special Education, University of Florida, a teacher at many levels. I am not going to give long introductions, if you all don't mind. That way, we can get on to your talking. Dr. McLeskey, we welcome your coming and we welcome your expertise.

Carol Ann Baglin is Assistant State Superintendent of the Division of Special Education at Maryland State Department of Education. She has been doing that since 1996, and she has a broad and extensive background.

Mary Senne is from Florida and she has been working in the disability—she is a parent and working in the disability community on behalf of her second child, Patrick. She has a Master's degree in psychology and has received numerous awards and been active and brings a special perspective to this, as well.

Let me see who I am missing here. Bill Connolly is going to be introduced by Senator Dodd when he comes. I just read his statement. He is a special education teacher at Quirk Middle School in Hartford, CT, and Bill, we welcome you.

Now I will introduce Secretary Hager and let him introduce his two associates, if I may, and then, John, if you would take about 5 minutes and summarize your position, and then we will just start right over here and go right around the room, about 3 minutes each, and then we will ask questions.

John Hager is a former Lieutenant Governor of the State of Virginia, active in education matters, helped with the transition for the current Governor of Virginia. I want to thank him for taking the time to pay special attention to this issue and for coming to see me earlier about it.

I guess, John, why don't we give you a chance maybe to start answering at least a couple of Mr. Connolly's questions. What exactly does he have to do by the end of the next school year to demonstrate that he is highly qualified and what will the consequences be to him if he doesn't prove himself to be? Of course, the other thing we are interested in finding out, since we in Congress have established this rather speedy schedule and these requirements, is there anything we need to do or we need to know that would help make it easier for teachers and for the Department to do its job better?

**STATEMENTS OF JOHN H. HAGER, ASSISTANT SECRETARY, SPECIAL EDUCATION AND REHABILITATIVE SERVICES, U.S. DEPARTMENT OF EDUCATION; ACCOMPANIED BY CAROLYN SNOWBARGER, DIRECTOR, TEACHER-TO-TEACHER INITIATIVE, AND SPECIAL ASSISTANT FOR TEACHER QUALITY, OFFICE OF ELEMENTARY AND SECONDARY EDUCATION, U.S. DEPARTMENT OF EDUCATION; AND RENE ISLAS, SPECIAL ASSISTANT TO THE ASSISTANT SECRETARY FOR ELEMENTARY AND SECONDARY EDUCATION, U.S. DEPARTMENT OF EDUCATION; JEFFREY LANGHAM, SUPERINTENDENT OF EDUCATION, ELMORE COUNTY SCHOOL SYSTEM, WETUMPKA, AL; JAMES McLESKEY, PROFESSOR AND CHAIRMAN, DEPARTMENT OF SPECIAL EDUCATION, UNIVERSITY OF FLORIDA, GAINESVILLE, FL; CAROL ANN BAGLIN, ASSISTANT STATE SUPERINTENDENT, DIVISION OF SPECIAL EDUCATION/EARLY INTERVENTION SERVICES, MARYLAND STATE DEPARTMENT OF EDUCATION, BALTIMORE, MD; WILLIAM CONNOLLY, TEACHER, QUIRK MIDDLE SCHOOL, HARTFORD, CT; LANA C. SEIVERS, COMMISSIONER OF EDUCATION, TENNESSEE; AND MARY SENNE, PARENT AND DISABILITY COMMUNITY ADVOCATE, ORLANDO, FL**

Mr. HAGER. Thank you so much, Senator Alexander, Senator Kennedy, Senator Sessions. I am pleased to serve on this distinguished panel with all my associates here and particularly my two associates from the Department of Education, Carolyn Snowbarger and Rene Islas, and they will chime in as we go along today because they are the true experts in knowing a lot of the background in this particular arena.

We are happy to talk about the subject of highly qualified teachers, because as you said, and as Senator Kennedy said, it is the key to a better education for our special education students.

If I might, I would like to make an opening statement and then come back to the questions that you posed. I will be brief, but I wanted to sort of set the stage, if I might.

The No Child Left Behind Act, or NCLB, is truly landmark legislation in the history of American education. And because the cornerstone of the law is the founding belief that all students can learn, including students with disabilities, it is very important that we pay attention to the standards for the professionals who specialize in teaching students with disabilities, or what we better know as special education teachers.

The Individuals with Disabilities Education Act, or IDEA, is also a landmark statute which has ensured that children with disabilities are afforded the same educational opportunities as their non-disabled peers. The recently reauthorized statute, which as you know was signed by the President on December 3 of last year, and NCLB work together to focus on results for all children, and they come much closer together with your reauthorization.

NCLB requires three simple things of teachers. They must hold at least a Bachelor's degree, full certification from the State, and know the subject that they teach. The reauthorized IDEA reaffirms those same NCLB requirements.

The Department has what I call a common sense approach to the highly qualified teacher requirements under NCLB and we have

worked with the Congress to provide additional flexibility under IDEA. Special education teachers who are already in the field can use the High Objective Uniform State Standard of Evaluation, better known as HOUSSE, including a HOUSSE covering multiple subjects, to demonstrate competency in the core academic subjects that they teach, and I think that is the key, the core academic subjects. In fact, under NCLB, all teachers were required to be highly qualified if they teach core academic subjects, special education teachers included.

Special education teachers who are teaching exclusively to children with disabilities who are assessed against alternative achievement standards must have subject matter knowledge at the elementary level or above needed to effectively teach to those alternative achievement standards as determined by each State, so that is a slightly different requirement for those who are teaching that particular group.

New special education teachers who teach multiple core academic subjects and are highly qualified in math, language arts, or science have a 2-year time period, an additional 2 years, to demonstrate subject mastery in other core academic subjects that they might teach if they are just qualified in one.

The Department believes it is possible for all teachers to become highly qualified by the deadline, either through the rigorous tests, either through the HOUSSE that each particular State is setting up or through whatever academic pursuits that they are engaged in.

The Department certainly has engaged in activities to help teachers understand NCLB, to help teachers understand highly qualified teacher requirements, and to achieve the status. One very important initiative that accomplishes the three goals is the Teacher-to-Teacher Initiative. Some of the Teacher-to-Teacher Initiative activities include, first, Teacher-to-Teacher Workshops, which were held during last summer and fall 2004 and will be held again this summer in six locations around the country for about 250 teachers each. A heavy emphasis on these sessions is teaching students with disabilities, tying back in with special education.

The e-learning on teacher quality Web site, these e-learning modules have been developed using content from the summer of 2004 workshops, and 32 States have agreed to allow teachers to use the e-learning modules toward points on their HOUSSE, or their recertification requirements.

And third, ongoing teacher roundtables on various topics, during which senior Department officials listen to and engage teachers in discussion regarding teacher needs and concerns, and I think there was one of those just yesterday.

So you see, we take a diligent and a proactive approach to help teachers understand the requirements, but also understand how they can themselves become highly qualified, and we try also to provide flexibility and support to help all teachers meet the deadline.

With the reauthorization of IDEA, we intend to launch additional efforts to support special education teachers' understanding of what highly qualified means for them. We at the Department are pleased

that the reauthorized IDEA affirms the highly qualified teacher requirement as set forth in NCLB, with some additional flexibility.

It is simple. Students need and deserve highly qualified teachers. Parents expect it, especially special education with disabilities, and the Department knows that requiring all teachers to be highly qualified is the right thing to do.

Now, to get to your questions and the questions of, I think, Mr. Connolly, I am not personally familiar with that particular State requirement. You are in Connecticut, I believe. I don't know, Carolyn, would you or Rene like to comment on the HOUSSE?

Mr. ISLAS. Sure. We can talk generally. As you know, the State has the flexibility to develop their own—Congress has given the flexibility to develop their own High Objective Uniform State Standard of Evaluation, or HOUSSE. We know that Connecticut has developed one, yet it varies, just like every other State, and I don't have the in-depth knowledge about your particular State's HOUSSE.

But it is a way for teachers, including special education teachers, to demonstrate competency and meet one of the HQT requirements, the highly qualified teacher requirements, without being forced to go back and take a test, without being forced to take extra coursework. It is a way to allow your experience, your expertise, all of your years of experience and your professional growth over the time to be recognized toward meeting the highly qualified teacher requirements. We think that is flexible and we hope that your State has developed one that works for you.

Senator ALEXANDER. Thank you, Rene. We will get to—let me ask one question that I think will anticipate something. There are regulations that the Department will prepare—

Mr. HAGER. Yes.

Senator ALEXANDER. Do you want to say a word about the timing of the regulations and the effect those might have, for example, on whatever requirements Connecticut has for Mr. Connolly?

Mr. HAGER. I will be glad to speak to the timetable of the regulations because we think that is very important. The regulations currently are in final clearance with the Office of General Counsel at the Department of Education. We expect the Secretary to send them to the Office of Management and Budget on Friday. It should take about 2 to 3 weeks to clear the Office of Management and Budget, at which time they will be published in the Federal Register.

Our first hearing, NPRM hearing, is on June 6 in San Antonio and there will be seven, a total of seven hearings over about a 6-week period, one of which, incidentally, is in Nashville. After the hearings, of course, we will go back and take into account all the testimony that has come in and make the final modifications.

Our intention is to announce the regulations and release them either on the 30th anniversary of IDEA, which I believe is November 28 or 29, or December 3, which would be the 1-year anniversary of the signing of the reauthorized bill. So we will beat the previous track record by a year and 3 months and we will have them out within this year.

Senator ALEXANDER. I commend you for that. That is an even faster schedule than you were on before, and you are right. For

special education regulations, that will startle some people, that they might come out that—

[Laughter.]

Mr. HAGER. And we hope that includes not just Part B, but Part C, as well.

Senator ALEXANDER. [continuing.] And then those regulations affect or set the Department's attitude about State requirements for teachers like Mr. Connolly. What they need to do in order to be a highly qualified teacher, is that correct?

Mr. HAGER. That is correct, although—

Senator ALEXANDER. And they have a chance to be accomplished by the May following this November or December announcement.

Mr. HAGER. The 2005–2006 school year, that is correct. I will say, though, that the regulations are basically intended to follow the law. I mean, we don't want to set out too much new ground. We are trying to follow the intent of the Congress.

Senator ALEXANDER. Thank you for setting out the situation, Secretary Hager.

[The prepared statement of Mr. Hager follows:]

#### PREPARED STATEMENT OF JOHN H. HAGER

Mr. Chairman and members of the subcommittee, thank you for the opportunity to talk with you today on the topic of highly qualified special education teachers. The No Child Left Behind Act, or NCLB, is truly landmark legislation in the history of American education. Although this law is much discussed and sometimes misunderstood, it does represent the gold standard by which all other accountability-based education policies should be measured. NCLB is the result of bipartisan legislation built upon the premise that all children can learn to high standards. It also recognizes that students need highly qualified teachers in order to meet challenging State academic standards. Because the cornerstone of this law is the founding belief that *all* students can learn, including students with disabilities, it is very important that we pay attention to the standards for professionals who specialize in teaching students with disabilities or special education teachers.

The Individuals with Disabilities Education Act, or IDEA, is also a landmark statute. This law has ensured that children with disabilities are afforded the same educational opportunities as their nondisabled peers. The recently reauthorized IDEA statute and NCLB work together to focus on results for all children.

This afternoon I would like to talk about the highly qualified teacher requirements as they relate to teachers of students with disabilities. As you know, NCLB requires three simple things of teachers: they must hold at least a bachelor's degree, full certification from the State, and know the subject they teach. The reauthorized IDEA reaffirms the NCLB requirements because research shows that teachers are a key factor in student achievement. Research tells us that if a student has an ineffective teacher 3 years in a row, his or her achievement shortfalls most likely will not be remedied. The student won't catch up. Along the same lines, research tells us that when teachers are knowledgeable about the subject matter they teach, their students achieve to higher standards. This is true for all students, including students with disabilities.

Before the passage of Public Law 94-142 in 1975, the first version of what we now call IDEA, more than 1 million children with disabilities were excluded from the education system. Thirty years after the initial implementation of this legislation, 6.8 million children with disabilities are receiving special education and related services under IDEA, and 96 percent of students with disabilities ages 6–21 are now served in regular education classrooms with their nondisabled peers. We have made incredible progress in gaining access to mainstream education for students with disabilities, and we have made steady progress in ensuring that students with disabilities have access to the general curriculum. We now need to strive for the same excellence in education, for this population of children, as we strive for excellence for children who do not have disabilities.

State-reported data collected by the Office of Special Education Programs (OSEP) tells us that roughly 50 percent of students who receive special education services and supports are students with learning disabilities. This data also tells us that 80

to 90 percent of these students, who have learning disabilities, are referred for special education services because of reading difficulties, which may be, in many cases, preventable. Most children who are found to have a specific learning disability have average or better intellectual abilities. Therefore, we must ask, why aren't these children learning to grade level standards? The first reason may be low expectations. Another factor is the type of instruction these students receive. Are the instructional methods based on sound scientific evidence? Many times they are not. Also, who teaches children with disabilities? It depends upon the level of special education services and supports, but many children who receive special education services and supports are taught core academic subjects by special education teachers *who do not have the crucial content knowledge or skills* to teach core academic subjects. This is too often the case, even though the vast majority of special education students are expected to meet the same academic achievement standards as nondisabled students. What does the research tell us about students in general? It tells us that when teachers have knowledge and skills in the core academic subject they teach, students do better. Many times special education teachers may know "how to teach" but not "what to teach." We believe that the lingering achievement gap between students with disabilities and their nondisabled peers is partly attributable to this lack of adequate training in academic content.

The field is concerned about special education teachers not having enough time to meet the requirements to become highly qualified under the reauthorized IDEA by the end of the 2005–06 school year. I should point out that over the past few years the U.S. Department of Education has provided on-going technical assistance on the highly qualified teacher requirements, and has provided direct assistance to help all teachers who teach core academic subjects understand how the requirements will affect them. One significant Department initiative is the Teacher Assistance Corps. Established in 2003 to support States in their efforts to implement the highly qualified teacher requirements in NCLB, 45 teachers, former teachers, principals, superintendents, leaders from higher education, and national experts from around the country participated on teams led by Department of Education officials. During visits to every State, DC. and Puerto Rico, the Teacher Assistance Corps explained the provisions of the law including requirements for special education teachers, listened to the concerns of State and local officials, answered policy questions, and learned of unique situations in every State. Many States believed that the reauthorized IDEA would have different requirements or lesser standards for special education teachers to become highly qualified. They opted to ignore the NCLB requirements and waited, hoping that the reauthorized IDEA would eliminate or modify the requirements for special education teachers. As a result, some States did not take any steps to ensure that special education teachers would join the ranks of highly qualified teachers by the end of the 2005–06 school year.

The Department has a common sense approach to the highly qualified teacher requirements under NCLB and worked with the Congress to provide additional flexibility under IDEA, where it was possible to do so without diminishing the quality of instruction to be provided to children with disabilities. Special education teachers who are already in the field can use the High Objective Uniform State Standard of Evaluation (HOSSE), including a HOSSE covering multiple subjects, to demonstrate competency in the core academic subjects they teach. Special education teachers who are teaching exclusively to children with disabilities who are assessed against alternate achievement standards must have subject matter knowledge at the elementary level or above needed to effectively teach to those alternate achievement standards, as determined by the State. New special education teachers who teach multiple core academic subjects and are highly qualified in mathematics, language arts or science have an additional 2 years to demonstrate subject mastery in other core academic subjects that they teach. The Department believes that it is possible for all students to be taught by highly qualified teachers by the deadline set forth in NCLB and IDEA.

The Department has also engaged in many initiatives and activities specifically designed to help all teachers understand NCLB, understand the requirements to become highly qualified and to achieve highly qualified status. One very important initiative that accomplishes all three goals for teachers is the Teacher-to-Teacher Initiative which is designed to help teachers improve student achievement in several ways. First, the Department, as part of this initiative, sponsors Teacher-to-Teacher Workshops which allow teachers to learn and share various best practices from across the country that improve student achievement. After an overwhelmingly positive response to the 2004's summer and fall workshops, the U.S. Department of Education will host summer 2005 workshops. The Office of Special Education and Rehabilitative Services continues to work collaboratively with the Office of Elementary and Secondary Education to ensure that sessions specifically address teaching

children who receive special education services and academic supports in an inclusive setting. Second, the Department provides free access to professional development courses on a Teacher-to-Teacher Web site. These e-learning modules were developed using content from the summer 2004 Teacher-to-Teacher Workshops. In each of these modules, some of the Nation's best teachers and principals share strategies for raising student achievement and informing teachers of the latest successful, research-based practices. Thirty-two States have agreed to allow teachers to use these modules toward points on their HOUSSE or recertification requirements. Third, teachers may sign up to receive electronic Teacher Updates from the Department on hot topics, and access resources that aid teachers in learning about the latest policy, research and professional issues affecting the classroom. Fourth, the Department has ongoing Teacher Roundtables on various topics during which senior Department officials listen to and engage teachers in discussions regarding teacher needs and concerns. Fifth, teachers have been honored by the Department through the American Stars of Teaching awards. Teachers, including special education teachers, who are improving student achievement and using innovative strategies to reach students have been honored. So you see, the Department has taken a diligent and proactive approach to help all teachers understand the highly qualified teacher provisions in NCLB, and provide flexibility and support to help all teachers become highly qualified by the 2005–06 school year.

With the reauthorization of IDEA, we intend to launch additional efforts to support special education teachers' understanding of what highly qualified means for them. We at the Department are pleased that the reauthorized IDEA affirms the highly qualified teacher requirements set forth by NCLB, with some additional flexibility. It's simple. All students need and deserve highly qualified teachers, especially students who have disabilities. Parents want highly qualified teachers for their children. The Department knows that requiring all teachers to be highly qualified is the right thing to do for our children.

Senator ALEXANDER. Why don't we start with Mr. Langham and just go right around the table. Each of you take about 3 minutes, say what is on your mind. We have statements that you have presented. We will read those very carefully. And then we will ask the Senators to ask some questions and you may have questions of one another. Mr. Langham?

Mr. LANGHAM. It is a pleasure to be here today, and as I said in my statement, the NCLB IDEA highly qualified special education teacher criteria certainly, I know in our own school system, offers a rewarding challenge.

These requirements in the day-to-day, when originally presented to our special education teachers, to be truthful, were greeted with some dismay as far as that lack of understanding how this will work, how we will actually achieve this, and as a school system leader, certainly I share in those concerns.

However, we have chosen to focus on the positive side of these challenges, and first of all, I can't speak highly enough of our own Alabama State Department of Education and the outstanding assistance that we receive from them on a daily basis. Their efforts are reflected in all school systems throughout the State in helping us meet these challenges.

On a personal example, just a few weeks ago, the State Director of Special Education Services, knowing some of our needs and questions, rearranged his entire schedule just to come and to sit down with many of our school administrators to address some of these requirements and to help settle some of the concerns in the minds of many of our school administrators. And certainly our own Alabama State Department of Education is keeping a very steady and user-friendly flow of information as well as plenty of hands-on technical assistance to help us navigate these requirements, so we

are very grateful. They have taken a lot of the mystery out of some of our concerns there.

Another very rewarding side we have seen of these requirements are that our special education personnel have had to rethink and reengineer the way that we deliver special education services in our school system. Even though inclusion has been a vital part of our program for several years, we found that these requirements have caused us to strengthen our delivery process. They have certainly caused many of our administrators to become more engaged in the process of delivery of special education services in our schools.

We have seen more nontraditional settings, team teaching, collaborative teaching, consultive teaching being set up through this, and certainly we are very encouraged about the synergy that we see between the regular education and the special education teachers at our school. We are seeing a lot of natural support networks that are being set up and seeing benefits as far as what happens when our students have the benefit of the expertise of two or more teachers coming together in a team-like approach.

Certainly, many of our students are demonstrating heightened self-esteem and achievement is certainly showing some measurable growth at this point.

Our teachers are becoming more involved with research-based methodologies that benefit all students, so those HQT requirements are having an impact across the board there.

We have had to revisit as a school system our outmoded, outdated scheduling strategies to the benefit of all students, and working cooperatively, our school system is providing reimbursement to teachers, including special educators, who take coursework or tests to meet HQT requirements.

But certainly, as I said, this is a rewarding challenge. Funding is always an issue, particularly as it relates to staffing to monitor this process. The old adage says, you don't respect what you don't inspect, and so certainly, we are seeing early on the need for additional personnel to coordinate and monitor these activities as well as to help with the scheduling and other technical assistance.

And certainly, as we pointed out, we are seeing the problem in our middle and junior high and senior high levels of having to exceed class counts and causing an overload in some of our classrooms due to some of these requirements.

Senator ALEXANDER. Mr. Langham, we want to try to keep everybody to 3 minutes, if we can at this stage, so if you could wrap up a little bit and then we will move on to the next person.

Mr. LANGHAM. And this is my wrap-up. I will certainly say that the journey ahead will—there is much optimism on our part.

Senator ALEXANDER. Thank you very much, and we will hopefully have a chance to come back.

[The prepared statement of Mr. Langham follows:]

#### PREPARED STATEMENT OF JEFF LANGHAM

The NCLB/IDEA Highly Qualified Special Education Teacher (HQT) criteria offer teachers a "rewarding challenge."

The NCLB/IDEA standards indisputably have positive intents. Students with disabilities are expected to meet the same academic standards as all other students. Teachers who deliver instruction to students with disabilities are required to meet



the same standards for content knowledge as general education teachers. Who can argue with such noble intents?

Nevertheless, these requirements are not without their share of challenges. In our school system, tremendous apprehension and dismay surrounded the announcement that teachers teaching multiple core academic subjects would be required to meet the NCLB/IDEA HQT definition. Many of our high school teachers were reeling from what seemed to them to be an overwhelming requirement. As the school system leader, I have shared in their concerns.

However, as a school system, we have chosen to focus on the positive, even rewarding side, of these challenges.

First of all, our difficult task in meeting these requirements are less burdensome thanks to the outstanding assistance we received from the Alabama State Department of Education. The Department has taken a proactive approach in assisting our school system, as well as all Alabama school systems, in meeting these challenges.

Dr. Mabrey Whetstone, State Director of Special Education Services, recently dropped everything to arrange an impromptu meeting to address the concerns of many of our administrators regarding the HQT Special Education requirements. Moreover, the Alabama State Department of Education keeps a steady and user-friendly flow of information, as well as hands on technical assistance, coming into our school system to help us navigate these requirements.

Another reward that has surfaced as a result of the IDEA HQT challenges is that our personnel have had to rethink and reengineer the way we deliver special education services in our school system. Even though inclusion has been a vital part of our program for the past several years, the HQT requirements have caused us to strengthen our delivery process. In meeting these requirements, our administrators have become more engaged in the process of special education services.

Non-traditional settings including team teaching, collaborative teaching, and consultative teaching, while challenging to implement, have bolstered our special education services. These are creating a synergy between our regular education and special educators. Natural support networks are being fostered between children and the staff. We are seeing that all students benefit from the strength of two teachers who represent different educational standards. Students with disabilities taught in regular classes are demonstrating heightened self-esteem and achievement is demonstrating measurable growth.

Other rewards due to these criteria included the following: Our teachers are becoming more involved with research-based methodologies that benefit all students. As a school system, we have had to revisit our outmoded, outdated scheduling strategies to the benefit of all students. The Elmore County school system is providing reimbursement to teachers, including special education, who take coursework or tests to meet HQT status.

However, it is important to realize that even though we are choosing to focus on the rewards, in the day-to-day operations of our schools, these requirements are first and foremost, enormously challenging.

As always funding is an issue, particularly funding as it relates to staffing to monitor this process. The old adage states, "You don't respect what you don't inspect." Indeed, we need additional personnel to coordinate and monitor these activities as well as to help with scheduling and teacher assistance and consultation. Yet another challenge is that these requirements are going to cause some of our schools, particularly at the junior and senior high levels, to exceed class size caps and cause an overload in some of our classrooms at the junior high/senior high level. We are also challenged by the fact that we are seeing our pool of special education teacher candidates diminish every year.

Nevertheless, the bottom line is that the positive rewards outnumber the challenges we are facing. Already we are seeing incremental increases in student achievement directly related to the IDEA HQT criteria. Though the journey ahead will not be easy, our school system will continue to search for avenues and opportunities to provide excellence in education for each and every student.

Senator KENNEDY. Mr. Chairman?

Senator ALEXANDER. Yes, sir?

Senator KENNEDY. Could I just point out, according to the National Council on Teacher Quality, Alabama is one of the highest in terms of its valuation of its HOUSSE project. It is one of the leading States in the country on it, so I want to congratulate what you have been doing.

[Laughter.]

Senator ALEXANDER. Thank you.

Senator KENNEDY. Had Massachusetts started on——

[Laughter.]

Senator ALEXANDER. Again, thank you, Senator Kennedy.

Mr. McLeskey?

Mr. McLESKEY. Thank you, Senator Alexander. I would like to begin by expressing my appreciation to the HELP Committee and to Congress for working to ensure that every student with a disability has a highly qualified teacher. As all of us here today are well aware, the quality of the student's teacher contributes more to achievement outcomes than any other factor, including class size, class composition, and student background. Moreover, if we are to hold students with disabilities to high accountability standards, they must have highly qualified teachers to meet these standards.

For too many years, large numbers of special education teachers have not been highly qualified, as we all know. Indeed, data from 2002–03 school year indicate that over 53,000 special education teachers teaching over 900,000 students with disabilities were not certified in special education. Having a highly qualified teacher for every student with a disability should go a long way to closing the achievement gap that currently exists for these students. I applaud the HELP Committee and the Congress for boldly addressing this very important issue, an issue that most States have not been successful in addressing for at least the last 20 years.

From my perspective, there are several issues that need to be addressed to ensure a highly qualified teacher for every student with a disability. I will mention three of those briefly now, and hopefully we will have time to talk about more of them later on in the round-table discussion.

First, it seems to me that it is important we learn from States and local school districts that have successfully addressed this issue. Alabama, we talked about that earlier, is certainly one of those. I have seen HOUSSE guidelines for Maryland. Florida has been aggressively addressing this issue, and a number of States—Tennessee, I have heard, has also been aggressively addressing the issue, so I think it is important to learn from States that have been successful in addressing the HOUSSE guidelines and the highly qualified issues and learn from those States.

Second, we must recognize, as Jeff said earlier, that the approach local school districts and secondary schools take to service delivery significantly influences the number of secondary special education teachers who are highly qualified in content areas. In Florida, one large district has over 500 special education teachers who are not highly qualified in subject areas they teach, while another large district has no such teachers. This difference is, I am sure, influenced by how these districts decide to deliver services to students with disabilities, using collaborative models, as my colleague from Alabama mentioned earlier. This is obviously a key issue that we must recognize and address.

Finally, as I mentioned previously, most States have not been able to address the need for highly qualified special education teachers as shortages have existed for at least the last 20 years. States need Federal support if they are to successfully produce sufficient numbers of highly qualified teachers. For example, there is

currently a shortage of teacher education faculty of institutions of higher education that produce teachers, and many faculty positions are going unfilled. There also is a need to increase the supply of special education teachers through incentives for those entering the profession.

I have included, Senator Alexander, with my statement today a copy of a proposed amendment to the Higher Education Act that the Kennedy Foundation and Ms. Shriver put forth that I would certainly recommend consideration for the committee as a beginning to address these issues of the teacher shortage as well as the shortage of higher education personnel. Thank you.

Senator ALEXANDER. Thank you very much, Mr. McLeskey.  
[The prepared statement of Mr. McLeskey follows:]

PREPARED STATEMENT OF JAMES MCLESKEY, PH.D.

I'd like to begin by expressing my appreciation to the HELP Committee and the Congress for working to ensure that every student with a disability has a highly qualified teacher. As all of us here today are well aware, the quality of a student's teacher contributes more to achievement outcomes than any other factor, including class size, class composition, or student background. Moreover, if we are to hold students with disabilities to high accountability standards, they must have highly qualified teachers if they are to meet these standards.

For too many years, large numbers of special education teachers have not been highly qualified. Indeed, data from the 2002–03 school year indicate that over 53,000 special education teachers, teaching over 900,000 students with disabilities were not certified in special education. In addition, data from the 1999–2000 Schools and Staffing Survey reveal that among secondary special education teachers who teach students with disabilities in the areas of English, Mathematics, Science, and Social Studies, from 82–99 percent were not highly qualified in the subject matter that they taught.

Having a highly qualified teacher for every student with a disability should go a long way toward closing the achievement gap that currently exists for these students. I applaud this committee and the Congress for boldly addressing this very important issue, an issue that most States have not been successful in addressing for at least the last 20 years.

From my perspective, there are several issues that need to be addressed to ensure a highly qualified teacher for every student with a disability. I'll mention three of those issues, now, and hopefully we'll have time to discuss additional recommendations later in this roundtable.

First, we must learn from States and local school districts that have successfully addressed this issue. Data from 2002–03 reveal that all special education teachers were certified in Connecticut. Many other States had very low proportions of special education teachers who were not certified (i.e., Alabama, Alaska, Illinois, Mississippi, Nebraska, North Dakota, Oklahoma, Pennsylvania, Tennessee, Washington, and Wisconsin). These States have shown us that it is possible to provide highly qualified teachers for students with disabilities. We need to better understand what these States have done to address the special education teacher shortage.

Second, we must recognize that the approach local districts and secondary schools take to service delivery significantly influences the number of secondary special education teachers who are highly qualified in content areas. In Florida, one large district has over 500 special education teachers who are not highly qualified in the subject areas that they teach, while another large district has no such teachers. This difference is produced, I am sure, by how these districts decide to deliver services to students with disabilities. This is a key issue that we must recognize and address.

Finally, as I mentioned previously, most States have not been able to address the need for highly qualified special education teachers, as shortages have existed for at least the last 20 years. States need Federal support if they are to successfully produce sufficient numbers of highly qualified teachers. For example, there is currently a shortage of teacher education faculty in Institutions of Higher Education that produce teachers, and many faculty positions are going unfilled. There also is a need to increase the supply of special education teachers through incentives for those entering the profession. I've included with my statement a copy of a proposed

amendment to the Higher Education Act, written by Mrs. Shriver, which begins to address this need.

Elaboration of the preceding recommendations as well as additional recommendations for ensuring that all students with disabilities have highly qualified teachers include the following:

- State Departments of Education have many requirements for approving teacher education programs in Colleges of Education that make offering alternative teacher education programs difficult, if not impossible for many Institutions of Higher Education (IHEs). State Departments of Education need to address these issues, and ensure that IHEs can develop high quality, fast track, alternative programs to certify special education teachers.

- Support is needed from the U.S. Department of Education and other Federal agencies to ensure that all students with disabilities have highly qualified teachers. The proposed amendment to the Higher Education Act (proposed by Mrs. Shriver), "The Ensuring Highly Qualified Special Education Teachers Act of 2005" is a good start in addressing this issue. Additional funding for Part D of the Individuals with Disabilities Education Improvement Act to support personnel preparation is also needed.

- Support is needed to ensure an adequate supply of doctoral level leadership personnel (i.e., college faculty) to produce highly qualified teachers. Providing additional funding to support leadership programs as part of Part D of IDEA, and supporting the proposed amendment to the Higher Education Act, "The Ensuring Highly Qualified Special Education Teachers Act of 2005" is a good start in addressing this issue.

- Very little research has been conducted regarding teacher education and special education. We need to study a range of issues such as: the effect of different routes to certification (i.e., traditional institution of higher education based programs, alternative certification programs, "test only" routes to certification) on student outcomes; factors influencing teacher attrition and teacher retention; critical elements of teacher education programs that produce effective teachers; teacher induction and mentoring; and many more. Funding through the Office of Special Education Programs and Institute for Educational Sciences should be provided to study these critical issues.

Senator ALEXANDER. Ms. Baglin?

Ms. BAGLIN. Thank you. Good afternoon. It may not look like it, but I am here today representing over 80 years of experience in special education.

[Laughter.]

My mother graduated from Rochester Normal School and she was a teacher for over 40 years. At 89 years of age, she still likes to say she came from the era when every teacher was a special education teacher. I, on the other hand, have only experience limited to special education and early childhood, as I was the State Director for Infants and Toddlers in Maryland and now for Special Education.

With that experience in mind, I am here to advocate for the provisions linking highly qualified teacher requirements and the field of special education. These provisions represent the quintessential opportunity for us to finally have individualized and differentiated instruction that is linked effectively with good content. This approach will do much on behalf of students with disabilities to, in fact, narrow the achievement gap with their nondisabled peers.

The challenges for us and the States, however, are very significant. Maryland employs over 7,700 special education teachers to provide special education to nearly 113,000 students ages 3 to 21. Of these teachers, nearly 6,200 are fully certified, but we do not yet know how many are considered to be highly qualified. Statewide, nearly 67 percent of all of our core academic subjects are taught by highly qualified teachers during the year 2003–04. We did not have our special education HOUSSE in effect at that time.

Maryland has a long history of requiring the participation of all students with disabilities in our State accountability programs since 1990, including our severely disabled students, but there has always been a disconnect during that time period in what special education teachers have been able to adequately address in terms of instruction for these students. The requirements and the linkage of NCLB and IDEA for the first time provide the necessary linkage of pedagogy and the content knowledge that we need to close the gap.

Maryland has taken a very rigorous approach to examining these requirements and is implementing a wide range of options for professional development and teacher support. We are very proud of our HOUSSE and we think it presents an opportunity for the current workforce who are employed through a combination of coursework, teaching experience, professional development, and other related activities, including participating in tests for endorsements in those areas. We also have a resident teacher certificate program for teachers who are employed that come from other fields and will end up, when they finish this program, as duly certified.

We are working cooperatively and hope to encourage higher education to step up to the challenge to increase the pool of highly qualified new teachers and to restructure their programs of preparation. Many of their existing programs continue to turn out people who are certified in special education but will not be highly qualified when they enter the classroom.

With the growing problem that we have in our State of teacher retention and an aging workforce, we are looking for additional support, help, and perhaps an increased time so that our special education teachers can, in fact, be highly qualified. Thank you.

Senator ALEXANDER. Thank you.

[The prepared statement of Ms. Baglin follows:]

PREPARED STATEMENT OF CAROL ANN BAGLIN

Good afternoon Senator Alexander and members of the subcommittee. I welcome this opportunity to speak with you about the importance of supporting a highly qualified workforce on behalf of students with disabilities. I have been privileged to administer early intervention and special education services in Maryland since 1987, both as the State Director for Infants and Toddlers and State Director for Special Education. More importantly, I have worked in local school systems as an instructional assistant, a teacher, and a local director since 1971, and experienced the growth of this profession over these past 35 years.

The State of Maryland has required the participation of students with disabilities in our State accountability system since the early 1990s. There has been a disconnect in that special education teachers have been in many cases not able to adequately address the instructional demands related to this increased accountability, and the related requirements for access to the general education curriculum. For many years I have been an apologist for our teachers as increasingly the instructional side of education asked for content skilled special education teachers to participate in the development of content level standards and professional training opportunities.

The fact that the Federal No Child Left Behind Act (NCLB), enacted in January 2002, requires that all teachers be "highly qualified" by July 1, 2006, if teaching in core academic subjects (CAS), enhances our standing as instructional professionals and members of a team that can make the difference for students with disabilities. Too long have we neglected to address meaningful grade level content by applying our unique skills in differentiating instruction for students with complex learning needs.

As you know NCLB requires that all teachers of core academic subjects be "highly qualified" by the conclusion of the 2005–06 school year. Each school system, along

with the State, must report annually the percentage of classes taught by teachers who are not “highly qualified.” Although special education is not defined in the law as a core content area, teachers of students with disabilities must be competent in the content they teach. Therefore special education teachers must meet the highly qualified teacher requirements as outlined in NCLB and incorporated in the Individuals with Disabilities Education Act 2004 (IDEA 2004).

Maryland employs over 7,700 special education teachers to provide special education to nearly 113,000 students, ages 3 to 21. Of these teachers, nearly 6,200 are fully certified but we do not yet know how many are considered highly qualified as well. Statewide nearly 67 percent of all core academic subjects were taught by highly qualified teachers, during 2003–04. Maryland has taken the reporting requirements as an important component of our overall professional development approach and we believe a vigorous approach in determining how to implement this requirement will ensure a qualified workforce.

In Maryland, the largest workforce that needed immediate guidance to comply with the NCLB was comprised of special educators already serving students in Maryland’s public school classrooms. To assist these teachers in achieving “highly qualified” status, the Maryland State Department of Education (MSDE) created a single document that will give teachers the information they need to interpret the requirements of High Objective Uniform State Standard of Evaluation (HOUSSE); assess their credentials, course work, experience, and professional activities; complete the HOUSSE rubric to achieve “highly qualified” status; and submit their completed rubrics to human resources officials in local school systems.

For teachers who achieve “highly qualified” status as a result of holding a particular Maryland certificate in the core academic subjects they are teaching, no further action is necessary. Since special education is not a core academic subject, special educators must be highly qualified in the core content they teach.

To achieve “highly qualified” status, teachers new to the profession (without verifiable teaching experience prior to the first day of the 2002–03 school year) may have different requirements than those who are not new teachers.

Maryland’s HOUSSE requires that teachers obtain 100 points on a specially designed rubric entitled, *Achieving “Highly Qualified” Status Under No Child Left Behind (NCLB)*. A guide for Maryland Teachers, Using Maryland’s HOUSSE, *High, Objective, Uniform State Standards of Evaluation*, March 2005.

The options for obtaining points in Maryland’s HOUSSE for Special Education Teachers consist of some combination of obtaining National Board Certification in Special Education, holding a Standard Professional Certificate or Advanced Professional Certificate in combination with the following:

- Course work in core academic subject area
- Years of satisfactory teaching experience
- Continuing professional development
- Activities, service, awards and presentations

Maryland also allows teachers already holding a Standard Professional Certificate to take content area tests to prove competence in CAS area.

The Maryland State Department of Education and the Maryland Higher Education Consortium are currently developing an Associates in Arts and Teaching Degree in Special Education for community colleges that would begin a path to a 2-year completer program into the 4-year Institutions of Higher Education. This degree would provide special educators with the content work necessary to be highly qualified.

Many challenges remain to ensure a qualified teaching staff. The engagement of institutions of higher education (IHEs) in support of these efforts is critical. Without the increased engagement of these institutions in redesigning and significantly updating their programs, we cannot meet the workforce needs of special education. Also significant will be the support of local school systems in providing flexibility and funding to existing staff to obtain additional coursework and to provide the necessary incentives to increase retention within the field.

Many school systems are utilizing special education teachers to provide consultation to general education teachers to assist by providing strategies for individualizing the curriculum, behavioral interventions, modifications to materials, and implementation of accommodations. In Maryland, the most effective overall model for improvement of student achievement for special education students has been the practice of co-teaching with the general education content teacher. These models require additional time for planning and flexibility in scheduling within schools.

The benefits of a vigorous system of instructional accountability combined with a qualified workforce will ensure that students with disabilities have the opportunity to fully participate in our educational systems. The challenges of NCLB and IDEA

provide opportunities for those of us who for many years have aspired to creating a robust and responsive educational environment within special education.

Senator ALEXANDER. We will now go to Bill Connolly. Senator Dodd may not—this is a busy day in the Senate. He may not be able to be here, so I will give you another introduction and say we are glad that you are here. You have had a variety of teaching responsibilities. As I understand it, now you are the reading teacher in a team of five—

Mr. CONNOLLY. Special education teachers, yes.

Senator ALEXANDER. [continuing.]—five special education teachers dealing with children with very specific disabilities, is that correct? We thank you for coming.

Mr. CONNOLLY. Good afternoon, Chairman Alexander, Ranking Member of the Subcommittee. Thank you for inviting me here today. My name is Bill Connolly. I have been a special education teacher since 1976. I hold a B.A. degree in psychology, Master's degrees in special education and curriculum and supervision. I also have a comprehensive special education certification covering grades pre-K through 12, a social studies certification in grades 7 through 12, and a certification in curriculum and supervision.

My teaching experience has been diverse. For 3 years, I taught all subjects in a self-contained classroom. For the next 13 years, I taught math to special education students grades 7 through 12. Finally, for the last 12 years, I have taught reading to special education students at the Quirk Middle School in Hartford, CT.

I believe I am qualified to teach my students based on evaluations, my students' progress, and my 2 decades of experience in the classroom. However, it may take more than this to certify that I am highly qualified under NCLB.

I am now going to try to explain as best as I am able what I believe the process is for me to be deemed highly qualified. I found the information provided me to be confusing, at best.

In the spring of 2003, we were given a letter from the Connecticut Department of Education with an update on NCLB. This was the first time I learned of the highly qualified requirement for teachers. The letter provided general information. I figured additional information specific to my teaching situation would be provided by my State or district. However, nothing was forwarded.

In May 2004, I did some of my own research on the subject. I learned that as a special education teacher instructing a content area, I could prove my competence if our district's evaluation met the standards set forth in NCLB's HOUSSE.

I began to inquire if Hartford's evaluation would qualify. I asked people in all positions. Most did not know the answer. A few responded positively. Again, I concluded that if the standards for my employment were changing, I would be told formally and then be given an opportunity to demonstrate my qualifications.

Some of the best information about what may be required of me came from my union. In March 2005, I attended a workshop sponsored by my union that covered the IDEA reauthorization. We were told that more information would be forthcoming about the HOUSSE and the recent changes made to IDEA. However, while school districts are in the process of translating how these recent

changes will impact special education teachers, many of these teachers have not yet been given appropriate guidance.

It is very clear that I am picking up bits and pieces of what the law expects of me. I have had discussions with colleagues about this certification issue. Most are unaware of the changes. I would venture to say that many veteran teachers believe they are well qualified and assume they will be grandfathered and thus meet the NCLB requirements.

The deadline for meeting these new requirements is rapidly approaching and teachers are very worried that they won't have time to meet them, or are unaware that they exist. I am genuinely concerned this confusion is likely to exacerbate the already serious shortage of special education teachers.

I am told that some in Congress understood the relatively short time that some special education teachers would have to demonstrate their qualification and that they tried to provide additional time to do so. I only wish they had succeeded in light of the great confusion that exists in the field today.

Thank you, Mr. Chairman, for the chance to talk about this important issue from the perspective of teachers, and I welcome any questions that you may have.

Senator ALEXANDER. Thank you, Mr. Connolly, and thank you for coming.

[The prepared statement of Mr. Connolly follows:]

PREPARED STATEMENT OF WILLIAM CONNOLLY

Good Afternoon, Chairman Alexander, Ranking Member Dodd and members of the subcommittee. My name is Bill Connolly. I have been a special education teacher since 1976. I hold a bachelor of arts degree in psychology, a master's degree in special education, and a 6-year degree in curriculum and supervision. I also have a comprehensive special education certification (pre-K-12), a social studies certification (grades 7-12) and a certification in curriculum and supervision.

My teaching experience has been diverse. In my first 3 years, I taught in a self-contained classroom for intellectually disabled adolescents. In 1980, I began to teach in the Hartford Public Schools. For 13 years I taught mathematics to seriously emotionally disturbed students, grades 7-12, with abilities ranging from second to twelfth grade.

For the last 12 years, I have been working in a mainstream middle school in Hartford. I am the reading teacher on a five-person team of special education teachers. We teach 55 students, the majority having specific learning disabilities. The academic abilities of the students range from first to third grade, depending on the content area.

I believe I am qualified to teach my students based on my evaluations, my students' progress, and my 2 decades of experience in the classroom. However, it may take more than this to certify that I am highly qualified under the No Child Left Behind (NCLB) Act. Depending on my year-to-year assignment, my teaching role may change. If the district's staffing needs change, I could possibly be assigned to teach in a self-contained classroom and have to teach multiple subjects.

I'm now going to try to explain, as best as I am able, what I believe the process is for me to be deemed highly qualified. I've found the information provided to me to be confusing at best. In the spring of 2003, we were given a letter from the Connecticut Department of Education with an update on NCLB. This was the first time I read or heard about the highly qualified requirement for teachers. The letter provided general information, and I figured additional information specific to my teaching situation would be provided by the State or my district. However, nothing was sent to me. In May 2004, I decided to do some research on the Internet to investigate the concept of highly qualified teachers in special education. I found out that as a special education teacher instructing in a content area, I could prove my competence if our district's evaluation met the standards set forth under the "Highly Objective Uniform State Standard of Evaluation" (HOSSE) included in NCLB.



So, I began to investigate if Hartford's evaluation would qualify as a HOUSSE. I asked people in all positions; most did not know the answer. I did get a few positive responses from people who know the evaluation process. Again, I concluded that if the standards for my employment were changing, I would be told formally and then be given an opportunity to demonstrate my qualifications. Some of the best information about what may be required of me came from my union. In March 2005, I attended a workshop sponsored by my union that covered the reauthorization of the Individuals with Disabilities Education Act (IDEA). Certification issues for special education teachers were discussed. We were told that HOUSSE was still a work in progress in Connecticut and that more information would be forthcoming. The reauthorization of IDEA provided additional avenues for certain special education teachers who may be teaching in more than one content area to meet the requirements of NCLB. However, a road map for getting there has not been provided.

It is clear to me that I am picking up bits and pieces of what the law expects of me. I have had discussions with colleagues about this certification issue. Most are unaware of the changes. I would venture to say that most veteran teachers believe they are well qualified and may be assuming they will be "grandfathered" and thus meet the NCLB requirements.

Apparently, school districts and States have been waiting to see whether IDEA would make changes in the highly qualified requirements for special education teachers, and districts have not been getting the information out to their teachers.

The deadline for meeting these new requirements is rapidly approaching and teachers are very worried that they won't have time to meet them. I am genuinely concerned that the confusion being experienced by me and my colleagues as we seek answers to these questions is likely to exacerbate the already serious shortage of special education teachers.

I am told that some in Congress understood the relatively short time that certain special education teachers would have to demonstrate their qualifications and that they tried to provide additional time to meet these requirements. I only wish they had succeeded, in light of the great confusion that exists in the field today.

I want to pose a few questions in my closing remarks.

- What exactly do I have to do by the end of the next school year to demonstrate I am highly qualified using the HOUSSE option?
- Will I have sufficient time to meet the requirements?
- What will the consequences be to me if I do not prove myself to be highly qualified?

My colleagues and I are all dedicated teachers who want to do what is right for our students. I know that the clock is ticking to meet these requirements. We want to ensure that we are able to continue teaching students and are given the opportunity to do so.

Thank you again, Mr. Chairman and Ranking Member Dodd, for the chance to talk about this important issue from the perspective of teachers. I would like to invite you to come visit me—or teachers in your district—in the classroom. We are hard at work every day trying to meet the admirable goals of IDEA. I welcome any questions that members of the committee may have in regard to my statement.

Senator ALEXANDER. Lana Seivers?

Ms. SEIVERS. Senator Alexander, Senator Kennedy, Senator Sessions, thank you for the opportunity to be here today. I was appointed Commissioner of Education in Tennessee in January 2003, so we hit this topic head-on pretty quickly. I come to you today not just because I am Commissioner, but because I am a former special educator and because I am the mother of a son who has multiple disabilities, so it is more of a personal issue for me than a professional one.

I think it is important that children with disabilities be taught by the most qualified teachers with one goal in mind: Improved student performance at whatever level that might be for each individual child.

First, let me commend Congress, the Department of Education, and Secretary Spellings for giving States the flexibility to use the HOUSSE option to assist our special education teachers. We have done this in Tennessee since 2003 and we hope we have commu-

nicated well with the teachers how they can use this to their advantage so that they can become highly qualified by 2006.

Currently in Tennessee, almost 600 of approximately 6,000 special education teachers are teaching on permits or waivers. This may appear to be a shortage of licensed special education teachers, but, in fact, it isn't. There are enough licensed special education teachers to fill these classroom positions, but many of these professionals have chosen to leave this field. They tell us it is largely because of burdensome paperwork, because of the technicality of the processes involved, that they get farther and farther away from children. I am afraid if States aren't careful in how we assist our teachers, that the highly qualified requirement may serve as a disincentive for special educators to remain in those classrooms.

In order to help our teachers comply with the highly qualified teacher requirement, in Tennessee, we have taken advantage of the flexibility offered. Special education teachers can achieve highly qualified status in the same manner as a general education teacher. In addition to an academic major or degree in core subject area or national board certification, Tennessee teachers can become highly qualified through one of four HOUSSE options.

The first is testing. We have required NTE or Praxis exams for licensure since 1984 and content specialty exams since 1987. The number of required tests has steadily increased, and all new graduates will enter the profession highly qualified in at least one core academic subject area by virtue of these exams.

The second is a professional matrix. This enables teachers to accumulate points for a variety of professional competencies related to the content area and teaching skills. The 100-point matrix emphasis content area and includes categories such as teaching experience, evaluations, including career ladder, college coursework, awards, publications, professional leadership, and professional development.

The third is teacher effect. This is a statistical means of estimating the teacher's impact on student achievement or learning. It is produced as a component of the Tennessee Value-Added Assessment System, TVAAS. The analysis of teacher effect data is based upon a 3-year average of improvement in student achievement for all students in a specific content area, and this has been lauded by Ed Trust.

Last is the teacher framework for evaluation and professional growth, and the instrument is based upon the essential ingredients of quality teaching with a strong emphasis on content knowledge. It also looks at pedagogy and the ability to measure learning.

While this flexibility is very helpful to us, teachers who teach multiple subjects are required to demonstrate highly qualified status in each of the subjects taught if they teach grades 7 through 12. Thus, some feel that the requirements for special education teachers are more rigorous than for general education. To obtain a Tennessee special education license, teachers must complete 24 to 43 semester hours in special education in addition to the general education curriculum.

We believe the process should also allow special education teachers to demonstrate competencies commensurate with the needs of students in their classrooms. For example, teachers of students

with severe cognitive disabilities should be considered highly qualified by meeting our State's requirements for a special education license. By completing additional special education coursework and successfully passing the teachers' licensing exam, they demonstrate the subject area knowledge sufficient to effectively provide the level of instruction appropriate for students like my son.

It is our understanding that the HOUSSE option——

Senator ALEXANDER. I am going to be accused of favoritism if I let you go on too far.

Ms. SEIVERS. If you let me go on? I will wrap it up.

[Laughter.]

I think the HOUSSE option does help, but we think it needs to be extended, especially for teachers who might be reassigned.

Senator ALEXANDER. I am going to come back to you with my question here in a minute, Lana, so thank you very much.

[The prepared statement of Ms. Seivers follows:]

#### PREPARED STATEMENT OF LANA C. SEIVERS

Senator Alexander and members of the subcommittee, I am pleased to have this opportunity to discuss with you the highly qualified standards for special education teachers. This topic is important to me not just in my role as Tennessee Commissioner of Education, but as a former special educator and especially as the mother of a son who has multiple disabilities. It is imperative that our children with disabilities be taught by the most qualified teachers with one goal in mind: improved student performance, at whatever level that might be for each individual child.

First, let me commend the U.S. Department of Education and Secretary Spellings for giving States the flexibility to establish a Highly Objective Uniform State Standard of Evaluation (HOUSSE) for special education teachers who teach multiple subjects or students who take alternative assessments.

Currently in Tennessee, almost 600 of approximately 6,000 special education teachers are teaching on permits or waivers. This may appear to be a shortage of licensed special education teachers, but in fact, it is not.

There are enough licensed special education teachers to fill these classroom positions, but many of these professionals have chosen not to teach special education. They tell us they leave largely because of burdensome paperwork, and unfortunately, the highly qualified requirements have the potential to serve as a disincentive for our most effective teachers to remain in our special education classrooms.

In order to help special education teachers comply with the highly qualified teacher requirement by the "05-06" school year, we have taken advantage of the flexibility offered. Special education teachers can achieve "highly qualified" status in the same manner as a general education teacher. In addition to an academic major, a degree in the core subject area, or National Board Certification by the National Board for Professional Teaching Standards, Tennessee teachers can become highly qualified through one of four (4) options:

##### 1. Testing

The State has required NTE/Praxis Exams for licensure since 1984 and content specialty exams since 1987. The number of required tests has steadily increased over the years, and all new graduates will enter the profession highly qualified in at least one core academic subject area by virtue of their licensure exams.

##### 2. Professional Matrix

This enables teachers to accumulate "points" for a variety of professional competencies related to the content area and teaching skills. The 100-point Professional Matrix emphasizes content area and includes categories such as: teaching experience; positive evaluations, including Career Ladder; college coursework; honors, awards, and publications; professional leadership; and professional development.

##### 3. Teacher Effect

This is a statistical means of estimating the teacher's impact on student achievement or learning, produced as a component of the Tennessee Value-Added Assessment System (TVAAS). The analysis of teacher effect data is based upon a 3-year average of improvement in student achievement for all students in a specific content area.

#### 4. Teacher Framework for Evaluation and Professional Growth

This instrument is based upon the essential ingredients of quality teaching: content knowledge, pedagogy, and the ability to measure learning. It is built around six different evaluation domains and indicators and is supported by a rubric that defines the levels of the teaching, with a strong emphasis on content knowledge.

While this flexibility is helpful, teachers teaching multiple subjects are required to demonstrate highly qualified status in each of the subjects taught. Thus, some feel that the requirements for special education teachers are more rigorous. To obtain a Tennessee special education license, teachers must complete 24–43 semester hours in special education in addition to the general education degree requirements. We believe the process should allow special education teachers to demonstrate competencies commensurate with the needs of students in their classrooms.

For example, teachers of students with severe cognitive disabilities should be considered highly qualified by meeting our State's requirements for a special education license. By completing additional special education coursework and successfully passing the teacher's licensing exam, they demonstrate the subject area knowledge sufficient to effectively provide the level of instruction appropriate to students like my son.

It is our understanding that the HOUSSE option will sunset in 2006. We recommend that this option remain in place for special education teachers and for general education teachers who are reassigned to a different academic subject. In addition, we recommend an extension of the current 2-year window in which special education teachers of two or more academic subjects may become highly qualified through the HOUSSE option.

Students with disabilities deserve effective teachers, and special educators must understand not only the subject, but the student. I have spent most of my professional career and my personal life dealing with issues that affect the lives of children with disabilities. At the end of the day it's about more than the standards. It's about making sure that we do all we can to place and retain effective teachers in our special education classrooms so that all students, including those with disabilities, reach their potential.

Senator ALEXANDER. Why don't we go on to Ms. Senne.

Ms. SENNE. Thank you to this committee for the opportunity to participate in today's discussion as it relates to the new provisions included in the reauthorization of IDEA and special education teacher requirements.

I am the parent of a child with a disability. I am also the parent of a child who, under the law, is entitled to the same quality of education as that of my nondisabled children. Unfortunately, my son Patrick, and for many families of children with disabilities, there continues to be a gap in the quality and quantity of special education teachers for him.

There are not enough skilled, knowledgeable, certified, or available special education teachers to provide instruction to my son and others like him in our educational system. This past year, my son Patrick was taught by a highly qualified special education teacher for the first time in his school career. Patrick is 16. Patrick has a moderate disability. A key ingredient for learning and success in the classroom for him and for my other children has been the teacher. Patrick has had the good fortune to be taught by several dedicated, compassionate teachers, professionals, and other personnel. He also experienced poorly trained, inadequately prepared, frustrated teachers who stayed in the classroom biding their time. The experience has been exhausting and frustrating for myself, for my family, and most of all, for Patrick.

The success is learning skills regarding the needs of children with disabilities. The successes have occurred most often when the teacher's disposition was one of understanding, openness, and willingness to work with my family. The successes have occurred for Patrick most often when there has been a balance struck between

knowledge of the content, the skill to work with that particular disability, and a willingness on the part of that teacher and on the part of the other paraprofessionals to partner with other professionals and to support the process of Patrick's learning.

Historically, I as a consumer, I as the parent, assumed that the teacher provided the instruction to my child was specifically trained and had knowledge in the content area and had experience working with students with disabilities, like my son Patrick, with a diagnosis of autism. I as a consumer trusted that these teachers were qualified to teach not just the subject, but the child. What I discovered is that no parent can assume this and that we all need to learn what questions to ask. What I discovered is that the teachers wanted to teach, wanted to see learning and successes for my son, but did not have adequate training or support to do this.

In an attempt to support those teachers willing to teach my son, I realized that the expertise needed had to come from somewhere else. Out of frustration and to find qualified teachers and to find the people to help my son, I went elsewhere in the community and partnered those persons with those in the education system. Out of frustration, I developed a partnership with the university, helped develop an Exceptional Education Institute, a training and information center for families that would support teachers, pre-service teachers, and other educators.

I returned to higher education recently to complete a doctoral degree myself in exceptional education in order to navigate through the high school experience with my son. I had heard horror stories from families, and most families, by the time their children hit secondary level, leave the system. My son, Patrick, will graduate this spring from middle school and he will start this fall in high school.

When the high school principal says to me next year, "Your son will have a highly qualified special education teacher if we can find one," I as many other parents ask, what does that mean? Does that mean that the teacher has been able to pass a State test and therefore be ready to teach my child? In the State of Florida, that is true. Does highly qualified special education teacher mean that the individual has been prepared to instruct in a special content area, elementary, middle, and secondary? Does that mean that the individual has been prepared to teach students with disabilities, has the knowledge in that content area?

As a parent, I want an adequately prepared qualified teacher for my son. I believe that a special education teacher must possess not just specific knowledge and demonstrate certain skills in order to teach my son. This same teacher must also be able to teach my son geography, science, and math. It is important that we not sacrifice the special education qualifications for skill in the content area. There is a risk of losing the balance between the special educator's unique set of qualifications and the need for content knowledge.

I would like to finish by saying that as a parent, it is incredibly confusing in my State and in the area that I live. We don't know the questions to ask as parents. We the consumer want to know what is a highly qualified teacher, what is a highly qualified special education teacher? What we find out is that those questions are usually asked only when mediation and due process comes about because the school system and the families don't work to-

gether and the information isn't there for us and we assume that they are special educators and we assume they are highly qualified, but there is no information available.

Senator ALEXANDER. Thank you very much.

[The prepared statement of Ms. Senne follows:]

PREPARED STATEMENT OF MARY SENNE

Introduction—Thank you to this committee for the opportunity to participate in today's discussions as they relate to the new provisions included in the reauthorization of the Individuals with Disabilities Education Act (IDEA) and special education teacher requirements. I am the parent of a child with a disability. I am the parent of a child who, under the law, is entitled to the same quality of education as that of my nondisabled children. Unfortunately, for my son, Patrick, and for many families of children with disabilities, there continues to be a gap in quality and quantity of special education teachers.

I. There are not enough skilled, knowledgeable, certified or available special education teachers to provide instruction to my son and others like him in our educational system. This past year, my son was taught by a highly qualified special education teacher for the first time in his school career, Patrick is 16. A key ingredient for learning and success in the classroom for my children has been the teacher. Patrick has had the good fortune to be taught by several dedicated, compassionate teachers, paraprofessionals and other school personnel. He has also experienced poorly trained, inadequately prepared, frustrated teachers who stayed in the classroom biding their time, until a better opportunity came along. The experience has been exhausting and frustrating for my family, and most of all for Patrick. The successes in learning for my son have come about when the teacher has possessed sufficient knowledge and skill regarding the needs of children with disabilities. The successes have occurred most often when the teachers' disposition was one of understanding, openness and a willingness to work with my family. The successes have occurred most often when a balance was struck between knowledge of the content, the skills to work with the particular disability and a willingness, on the part of the teacher, to partner with others and myself to support the process of learning for Patrick.

II. Historically, as a consumer, I the parent assumed that the teacher providing instruction to my child was specifically trained and had knowledge in the content area and had experience working with students with disabilities. I as the consumer trusted that these teachers were qualified to teach not just the subject but the child. What I discovered is that no parent can assume, and that we all need to learn what questions to ask. What I discovered is that the teachers wanted to teach, wanted to see learning successes for my son, but did not have adequate training or support to do this. In an attempt to support those teachers willing to teach my son, I realized that the expertise needed to come from somewhere else. Out of frustration, to find a qualified teacher to teach my son, I developed a Center for Autism and Related Disabilities and brought those personnel into the school setting through the IEP process. Out of frustration, I developed in partnership with the nearby University, an Institute for Exceptional Education, a training and information center to support preservice teachers, teachers in the community and families. Out of frustration and fear, I returned to higher education to complete a doctoral degree in exceptional education in order to navigate through the high school experience with my son. I will graduate this spring. He will start high school this fall.

III. When the high school principle says to me, "next year your son will have a highly qualified special education teacher," if we can find one, I, as many other parents ask, what does that mean. Does that mean that the teacher has been able to pass a State test and therefore be ready to teach my child? Does highly qualified special education teacher mean that the individual has been prepared to instruct in a specific content area for elementary, middle and secondary level? Does that mean that the individual has been prepared to teach students with disabilities, has knowledge of the specific content area, and can pass a State test? As a parent, I want an adequately prepared, qualified, teacher for my son. I believe that a special education teacher must possess specific knowledge and demonstrate certain skills in order to teach my son. This same teacher must also be able to teach my son geography, science and math. It is important that we not sacrifice the special education qualifications for skill in the content area. There is a risk of losing the balance between the special educators unique set of qualifications and the need for content knowledge if we allow one to supersede the other.

Recommendation: My son has remained in middle school for 2 extra years because the local high school has been slow to meet the mandates of the law, and to hire qualified special education teachers. The shortage of personnel in our area is extreme. My son needs teachers that are capable of preparing him for life after high school, for employment, for further education. Federal mandates such as IDEA, HEA, and NCLB must continue to put pressure on our education system to invest in training on the preservice level, to support faculty in higher education to prepare our teachers and continue to give leverage to families such as myself, to challenge the system from within.

The State and local education agencies must provide clearer, more concise information so that families will know to ask the question, "Is my child's teacher qualified?"

Senator ALEXANDER. Senator Kennedy?

Senator KENNEDY. Just very quickly, I thank all of you. And let me thank Mr. Hager so much for getting those regulations out. This is not probably generally considered to be a very admirable or worthy endeavor, but I will tell you, I think all of us appreciate the fact that we have got some real action on it and I think, hopefully, a lot of the questions will be answered with this. I was interested in what Mary said. We had tried with the No Child Left Behind, one of the key elements was involvement of the parents and the families in these programs. I don't know whether we are doing as well. We probably ought to have another panel some other time to find out how effective that was, but that was a very, very key element, to bring them in, to have them understand what is happening in the schools, in their school, who was qualified, what kind of progress the school was making so that they would find out if the next school was doing better, that it was going to create some grassroots kind of effort to try and get some response and reactions to this. I would be interested—I will follow up. I am not going to take time to go over here how that has either happened or failed in that community.

I think you raise very good questions about what these words mean. What, in simple terms—I think you raise very good questions. Parents say, when someone is highly qualified, what does it really mean? What would you say? I will ask you, Mr. Hager. What are going to be the common kind of themes? What are the kind of—how would you answer that question?

Obviously, we have all heard you have different criteria in different States and different States are doing different things, but a very important part of the No Child Left Behind was that we were supposed to move toward sort of proficiency with everybody over a period of time. That was certainly the goal there. So how do you—what do you think? What are the common kinds of—

Mr. HAGER. Certainly, I can answer the question with a technical answer, but what I would like to do is give you sort of an opinion answer and it goes to effectiveness. Teacher quality, if you will, it is not just about whether they have got the degree and got the certification but it is do they get the job done? So that is the intangible part of the whole notion of highly qualified.

I think experience is part of it, and I think that is why the law is intended to recognize the experience of teachers who have been in the profession, and through the HOUSSE procedure allow them to gain the status without having to go through the tests, just like my colleague said earlier. But certainly the intent is that they have that ability to teach students to produce.

You know, there was a study in Tennessee that found that students with highly effective teachers for 3 years in a row scored 50 percent points higher on a test in math skills than those whose teachers were ineffective. So perhaps that helps a little bit—

Senator KENNEDY. Was the effectiveness tied to the certification and the knowledge of the course, or were they just good teachers, or what are you telling us?

Mr. HAGER. I think both. Carolyn, help me out here.

Ms. SNOWBARGER. Well, the study they are referring to looked at teachers of math students and they were described as being highly effective teachers and they had several criteria. They were looking at student effect data, the impact teachers had had on student achievement, and a number of other studies have talked about in the math area the importance of a teacher having a major in the field math and that students who have teachers who have majored in math routinely will score higher on the State achievement test than those who do not.

Mr. ISLAS. If I can just add something, the question that you posed and that Ms. Senne posed was what does highly qualified mean, and I think Congress actually hit on the perfect formula for giving you the information you need for highly qualified. Highly qualified in terms of the law is simple. Do teachers know the subject that they are teaching? Do they have a real strong grasp on what they are teaching? And do they know how to teach? So you have the pedagogy and the licensure and those types of things, but then you have the content knowledge.

So what we expect when we ask States to set up these standards, their own way of doing it, we want to make sure that you are provided the information of whether the teacher knows the subject that they are teaching and they have the skills to actually communicate that to students. Hopefully, we can get there.

Senator KENNEDY. Mary, is there a follow-up question you would want to ask them, because—go ahead.

Ms. SENNE. Thank you, Senator Kennedy. I think my follow-up wouldn't be a question, it would be a comment, and again, it goes back to the confusion. In our State, and my son has experienced, I think, now 18 or 19 different varieties of teachers and you can have a Master's in special education and have 15 years of experience, or you can have 2 years as a paraprofessional and you can still provide teaching and instruction to my son. There is such an inconsistency, and the school systems, even if they have the information, are confused. The teachers are confused. The teachers are petrified. They don't know what to do with the information they are given.

Their relations with the families—and I have seen an improvement in the partnerships, at least in my area of Florida, but the parents are asking tough questions now of the teachers in terms of not can you teach geography to my child, but with my child with this particular disability or with these challenges, what is your experience, and that teacher says, "I don't know. I am just in here because they can't find anyone else," or "I am doing this and I hope I am qualified, I hope I have the right certification," or the administrator is saying to the parent, "Just hang on"—I am in a situation



where my son is hanging on in middle school for 2 extra years now as our high school fights and works through these issues.

So the confusion for families really is, for those of us that even know the law, we need to know what questions to ask when we are saying, I want a highly qualified special education teacher in this classroom. Specifically what is that? Simplify it and then get that information out to the families and to the teachers and to administrators.

Mr. HAGER. Well, I certainly share your concerns. We realize the world is not perfect out there. When we first met with Senator Alexander about 4 or 5 weeks ago, he challenged us to do some things to try to get the word out, to try to clarify some of this confusion. And, in fact, we have done five separate things since we met with you, Senator.

First, we established a dedicated IDEA 2004 presence on the Department of Education's Web site where individuals could go to learn about our technical assistance, our activities and information about highly qualified.

Second, we prepared a series of topical briefs. We talked about the one-pager. Unfortunately, after the lawyers got hold of it, it wouldn't fit on one page.

[Laughter.]

We have put these topical briefs out and widely distributed them around the country.

Third, we conducted a series of teleconferences with the various TA providers that we have all over the country on these various subjects.

Fourth, the Center for Improving Teacher Quality, an OSEP-funded project at the Council for Chief State School Officers, was funded to assist States to improve the preparation, licensing, and professional development of both general and special education teachers with an emphasis on strategies to help States with their implementation of HQT and also to assist States in the development of HOUSSE. We also collaborated with OESE, where Carolyn and Rene work, of course, the Office of Elementary and Secondary Education, to try to coordinate their technical assistance on this very same subject.

And finally, the IRIS Center for Faculty Enhancement is an OSEP-funded project serving college faculty in pre-service preparation programs. We tried to get the word out through IRIS.

So while this is not simple, it has been a coordinated massive effort to try to do a better job of allowing pre-regulation, because you can't talk about what is in the regulations until they are public, but pre-regulation to allow people to understand to the best we can do it what is required, how we can help, where they can go for assistance, you name it.

Senator KENNEDY. I want to thank you and thank you, Mary. I just mentioned the administration, to be reminded by the staff, we had a 1 percent set-aside of the No Child Left Behind to involve parents in the schools. It does apply. It may be worthwhile reviewing to see how that is working and how that is being actually enforced, because I think you are getting some questions here from a parent that are the kind of questions that we ought to hear

about, and people in the local and States ought to hear about them. They are very—

Mr. HAGER. Very good comments, sir. Yes, sir.

Senator KENNEDY. I thank the chair.

Senator ALEXANDER. Thank you, Senator Kennedy.

I want to go to Tennessee and Maryland and ask a very specific question, and then I will go to Senator Sessions and then we will have a little more time. I want to make sure I understand this, because I have lived long enough now not to be ashamed to say that everything isn't perfectly obvious to me the first time I hear it, even the second and third time.

Let us say, Lana, that I am a high school teacher of special education children in Morgan County, which is an area you know pretty well, which is a rural area in Tennessee. Now, it is likely I will be teaching multiple subjects, is that right? How many subjects might I be teaching?

Ms. SEIVERS. In special education—

Senator ALEXANDER. Special education.

Ms. SEIVERS. [continued.]—that would depend on a child's IEP. Typically, it is math and reading.

Senator ALEXANDER. But would there be any need for—would it be unlikely if I were a special education teacher in Morgan County for me to be certified to teach in more than math and reading?

Ms. SEIVERS. Oh, absolutely. It would be possible the teacher could teach all the core academic areas.

Senator ALEXANDER. So that would be math, science, English, history, geography. That is five. Any more?

Ms. SEIVERS. It depends on what grade level—

Senator ALEXANDER. So it might be six or seven?

Ms. SEIVERS. Right.

Senator ALEXANDER. So there might be a rural teacher who would need to be qualified—who might be teaching in several subjects. Now, today, what does that teacher have to do? How is that teacher certified today in Tennessee?

Ms. SEIVERS. A special education teacher today would have the general education core as far as their undergraduate or graduate degree as well as the special education classes, anywhere from 24 to 43 hours in special education.

Senator ALEXANDER. Well, no, what I mean is, is there a certificate? This person in Morgan County is what I am talking about.

Ms. SEIVERS. Would have a special education license. Would be endorsed to teach special education.

Senator ALEXANDER. Which means having taken a specific curriculum at the teacher's college?

Ms. SEIVERS. Correct.

Senator ALEXANDER. And having gotten that in education, would have a certification—

Ms. SEIVERS. Yes.

Senator ALEXANDER. [continuing.]—that would permit her to teach all those subjects, whatever was required in Morgan County High School if multiple subjects were required?

Ms. SEIVERS. With the current licensure. However, No Child Left Behind requires that that teacher demonstrate competence in each content area.

Senator ALEXANDER. So that teacher suddenly now has to demonstrate competence in three of the seven subjects. Now, in Tennessee today, how is that done? That teacher in Morgan County, how is she dealing with that requirement, or is it a requirement yet? Or is it not a requirement until May of 2006, or is it a requirement today?

Ms. SEIVERS. In May of 2006, but in 2003, we implemented the HOUSSE option and that would allow that special education teacher to demonstrate competence either using the Tennessee Value-Added Teacher Effect, how well have that teacher's students done——

Senator ALEXANDER. This four-part——

Ms. SEIVERS. Yes.

Senator ALEXANDER. [continuing.]—program that you outlined in your——

Ms. SEIVERS. Right.

Senator ALEXANDER. So this was before we added flexibility toward the end of 2004 and the IDEA law, is that right?

Ms. SEIVERS. Yes, it is. It more or less merged the flexibility with No Child Left Behind with the reauthorization.

Senator ALEXANDER. So are you saying that basically the original No Child Left Behind law gave you the opportunity to take this four-part HOUSSE system and create a way that the Morgan County teacher could become highly qualified by May of 2006, is that right?

Ms. SEIVERS. Yes, Senator, although I do think that some who have more than three subjects, perhaps, would have a very difficult time doing this by 2006, even under the HOUSSE option.

Senator ALEXANDER. But are you telling me, though, that it is clear what the requirement is? It might not be clear that they could do it, but is it clear——

Ms. SEIVERS. Yes, sir.

Senator ALEXANDER. I mean, if she calls you up, you could tell her exactly what is required today?

Ms. SEIVERS. Absolutely, and we could give her several options from which to choose in which to demonstrate her competence.

Senator ALEXANDER. Competence in each one of those core areas.

Ms. SEIVERS. Yes, absolutely.

Senator ALEXANDER. So you can demonstrate geography these three ways and math these three ways and reading these two ways and——

Ms. SEIVERS. Yes, and in addition, in Tennessee, we have had highly qualified institutes in the summer so that we have worked with teachers in intense 40-hour sessions on the content areas in math, reading, language arts, and writing.

Senator ALEXANDER. Now, did the change in the IDEA law that we put in at the end of 2004 which was to provide, quote, "more flexibility" in the HOUSSE—of course, that is what these regulations are about that are coming out more rapidly than any regulations ever have, will that be of any help to you or can you assess that?

Ms. SEIVERS. Well, I am anxious to see what those rules are in December, and at that point, we can modify our plan if we needed to.

Senator ALEXANDER. And what suggestion would you have to them about those regulations to deal with the situation that you have already got set up?

Ms. SEIVERS. The extension of time. I think when we are talking about truly becoming knowledgeable in content area, we have to have more time——

Senator ALEXANDER. Well, Congress, against Senator Sessions's and my best judgment, didn't give more time——

Ms. SEIVERS. And that is unfortunate because they should have listened to the two of you. You were exactly right.

Senator ALEXANDER. Well, that is what we thought, but—[Laughter.]—there was a vote and we lost.

[Laughter.]

But other than time—or am I wrong about that? Is there—let me go to you, Mr. Hager. Can you say, is there a phase-in period under the law as we have passed it that would permit—could the Department permit a State like Tennessee or Maryland or any other State who you judge as making a good faith effort to get to where they need to go, have we given you any flexibility at all in dealing with that?

Mr. HAGER. The answer clearly is no. Now, let me just say one thing, though, that might help in this particular situation, and that is the flexibility announced, I believe it was last year, by the Secretary under the rural teacher provision. Teachers in eligible rural districts who are highly qualified in at least one subject will have 3 years to become highly qualified in the additional subjects they teach. So I think the rural provision may well help in her situation that she is talking about.

Senator ALEXANDER. Mr. Secretary, we would like to talk to you about the definition of rural——

Mr. HAGER. OK.

[Laughter.]

Senator ALEXANDER. [continuing.]—because——

Mr. HAGER. I would be happy to, because I don't——

Senator ALEXANDER. No, no, this is part of this discussion. Tennessee, which is not considered to be one of the major metropolitan areas of America, has four—of our 95 counties, four are considered rural, and I know Morgan is one.

Senator SESSIONS. Well, I think we have only one.

[Laughter.]

Senator ALEXANDER. So Alabama and Tennessee have become the most urban, and that might be an area where you could help, because I believe that is an administrative decision rather than a—am I correct about that?

Mr. HAGER. I think so, but I——

Senator ALEXANDER. I think the definition of rural is subject to your review and doesn't require a change in the law, or am I wrong about that?

Mr. ISLAS. We based our definition of rural for this flexibility and eligibility for the extra flexibility based on a definition that Congress defined in the Small Rural Schools Achievement Program as part of the Rural Education Achievement Program. So we based it off of that.

Senator ALEXANDER. Well, if we had more rural—is this a problem that exists more in the rural districts? Is the problem of needing more time to qualify more of a rural problem than an urban problem, or would it be true of teachers in both settings?

Ms. SEIVERS. I think in both, because in some of our inner-city schools and in some of our lowest-performing schools, we found a great deal of teacher turnover. A great number of teachers had chosen to teach in the suburbs, teach in the more affluent areas, teaching in the less-needy schools. So we have an issue everywhere. I think in rural districts, though, that teacher probably has to teach more core academic subjects. Certainly the collaboration you talked about is a positive offshoot of this.

Senator ALEXANDER. Now, I don't want to take too much time, I want to get to Senator Sessions, but may I kind of wind this line of questioning up?

Senator SESSIONS. I think the former Secretary of Education should get more time than the rest.

[Laughter.]

Senator ALEXANDER. No, I——

Senator SESSIONS. And the former President of the University of Tennessee——

Senator ALEXANDER. And one of the most junior United States Senators.

[Laughter.]

But what we have said is that this teacher in high school in Tennessee, that one thing that she may have to demonstrate a core competence in several areas. One thing that helps is that you have got a system in place that gives her several ways to do that and that those ways are clear today. You could explain to her what those things are. You couldn't tell her what the regulations are going to say, but you could say what those things are.

Ms. SNOWBARGER. Senator, if I can insert something right here that your rural teachers might like to be aware of, through our Teacher-to-Teacher Initiative, we provide free e-learning modules for them that they can view online if they would like, and many States—Tennessee is one—will allow teachers to earn points to be highly qualified using some of the resources from the Department of Education, and that is part of our matrix.

Senator ALEXANDER. Before I stop, is there anything other than more time that would make it easier for that teacher in Morgan County to meet the qualifications by May of 2006?

Ms. SEIVERS. I think just continuing to offer highly qualified institutes, the e-learning opportunities for them to not only demonstrate that they are competent, but to actually become more competent in subject area. I think the more we can do as a State Department and as a U.S. Department, the better off we will all be in that regard.

Senator ALEXANDER. Do you agree that that teacher in Morgan County ought to, if she is going to continue to be a special education teacher, ought to eventually demonstrate competence in all of the areas that she teaches? Do you agree with that?

Ms. SEIVERS. Yes, Senator, I do.

Senator ALEXANDER. But you are not saying, don't do that. You are saying that it will be hard to do by May of 2006.

Ms. SEIVERS. I think the time line is the difficult area. I think there are ways that we can assist that teacher. The time line is what really concerns me more than anything. But I think whether we are talking about Memphis or Morgan County, that special education students deserve a teacher who knows how to teach math, who knows the subject himself or herself. I think to do less is a disservice.

Senator ALEXANDER. OK. Thank you very much.

Now, I want to welcome Senator Reed. Senator Reed, we are trying a roundtable, which is discussion, discussion. It is a square round table. We have done pretty well so far, and let me go to Senator Sessions and then I will come to you, if that is all right. Senator Sessions?

Senator SESSIONS. Yes. Ms. Seivers, since you have been asked a number of questions, I think I will follow up. I thought I heard you say, and you didn't get to complete the thought or didn't complete it entirely, which was if you want to improve subject matter learning, it takes a little time.

Ms. SEIVERS. I am sorry—

Senator SESSIONS. If you want to improve subject mastery, it takes some time. Now, if all we are doing is going through a process to get somebody certified by running around and filing a bunch of papers and somebody gives them a certification, that has not helped us. Am I raising a subject or a question that has some validity here or concern? Would you have a comment on that?

Ms. SEIVERS. I think time is what most of our special education teachers would tell you, although there is a belief that they should not have to demonstrate mastery of every subject. I think if you teach it, you need to know the subject. So if you are talking about four or five different core courses that you teach, it is going to take more than 1 year or one summer or two summers to do that. So, yes, I think time is a main issue.

Senator SESSIONS. Let us say you are teaching algebra or some other specialized subject, and you are not qualified in that subject, we are not talking about getting you a piece of paper that says you are qualified. Presumably, we want that person to take some courses in advanced math, in how to teach advanced math and those kind of things. You just can't snap your finger and get that done next week. Would you agree with that?

Ms. SEIVERS. Absolutely.

Senator SESSIONS. Mr. Langham, would you have any comment on that from an Alabama perspective?

Mr. LANGHAM. Absolutely. I wish I had a more creative response to crying over spilled milk about I wish we had more time, but I totally mirror Lana's comments.

Senator SESSIONS. Mr. McLeskey, we are also concerned about university programs and programs of education. Are you satisfied that the universities who are giving degrees in special education are aware of the requirements of this act and the spirit of this act? Are they sufficiently in sync when a student comes out that they meet the standards that they would need to meet in most schools?

Mr. MCLESKEY. I certainly don't think we are in sync at this point in time and it is going to take time. We move fairly slowly, as certainly Senator Alexander knows, in Tennessee and Florida

and other places in higher education. So it takes a while to change—

Senator SESSIONS. Not when he was President.

[Laughter.]

Mr. MCLESKEY. But we are changing rapidly. I know Florida and our State Department has worked very closely with institutions of higher education to provide fast-track summer programs, to do a whole variety of things with educator preparation institutes. They are looking at program approval standards and loosening those to some degree in appropriate ways so that higher education institutions can get more involved in alternative certification programs. So I think a lot is happening in the State of Florida, and I think around the country, to begin to address these issues. We certainly can't do it alone, obviously, but we are doing all we can to jump on board and to provide as many teachers as we can.

Senator SESSIONS. Mr. Langham, as Superintendent, do you have problems of finding qualified graduates?

Mr. LANGHAM. Absolutely. I just—

Senator SESSIONS. Of course, you're in a popular area of the State, but you do have problems?

Mr. LANGHAM. Absolutely. I was just talking with our personnel director yesterday. We are quite concerned about the limited applicants that we have coming up for this next school year. So yes, we are having problems.

Senator SESSIONS. Well, I won't continue on that subject other than to say that to me, having a teacher more qualified in a subject matter is not something that can just be done in one semester. I mean, they may need to go back for courses for 2 years. That is what you would like to see, that people really step up their professional qualifications and make a commitment to it and that somehow we would be supportive of that and develop a program or a track for them to move forward on so that they can achieve highly qualified status. In the meantime, if they are making progress, they not be stigmatized as being not qualified, or not highly qualified. That is the concern that I have—it is an idea that I have reached. Would any of you disagree or have any further comments on that?

Mr. ISLAS. Senator, I do have one comment, that you hit on a very important point, that it does take time for teachers to become highly qualified and gain that subject matter knowledge.

The thing that we have seen is that No Child Left Behind requires all teachers, including special education teachers, to meet these general common sense requirements since January 8 of 2002. States have had time. Tennessee—I am not saying it is completely sufficient, but States like Tennessee jumped on the bandwagon immediately and put together four HOUSSE options to help the teachers get the expertise and the training over the time and to recognize their expertise.

And then other States have not done so and we are working with them despite that, despite the fact that they chose not to require their special education teachers, and ignore the law, and help them meet the requirements by the time line that was set up in the statute.

The other thing is I do think that the response that Congress just made with the IDEA, allowing more time for teachers who are teaching multiple subjects, will be something that will help, so that teachers over the 2 years can demonstrate subject matter competency and gain——

Senator ALEXANDER. Stop. It is not more time. It is more flexibility, isn't it?

Mr. ISLAS. There is additional time that teachers have under IDEA, I believe, that says——

Senator ALEXANDER. How much?

Mr. ISLAS. Two years. A teacher——

Senator ALEXANDER. Beyond May 2006?

Mr. ISLAS. Yes. A teacher, a new teacher who is highly qualified in one subject, which has to be either mathematics, science, or language arts, if they are highly qualified in one of those subjects, the new teacher has 2 additional years to become highly qualified in the additional subjects that they teach. We feel that this is a proactive approach.

Senator ALEXANDER. A new teacher?

Mr. ISLAS. Correct.

Mr. HAGER. That is one of the two exceptions I referred to briefly in my opening comments that does build additional flexibility into the program.

Senator ALEXANDER. And we will go to Senator Reed——

Ms. BAGLIN. Could I just——

Senator ALEXANDER. —but Ms. Baglin and Mr. Connolly haven't had a chance to respond to any of these most recent questions, Senator Reed, so maybe in your questions—have you got time to hear their comments?

Senator REED. I have until ten past, but I think we can let them respond.

Senator ALEXANDER. Why don't you make 60-second comments if you want to and let Senator Reed ask his questions, and then I will give you a chance after that. Ms. Baglin?

Ms. BAGLIN. OK. I just wanted to raise the issue of we have talked about rural settings, but I think urban settings really pose a very significant issue in this area because we have high teacher turnover anyway. We have serious issues related to shortage. We have school climate issues which make it very difficult to retain teachers that may be fully certified. And I know in Baltimore City, where we have a 23-year consent decree going on, we have a very difficult time with recruiting any teachers into that setting.

So I really think in the discussions, we need to remember that those particular settings pose both a certification issue as well as a highly qualified teacher issue. So anything that we can do to support those particular areas, I think would be very helpful.

Mr. CONNOLLY. I would reiterate the urban problem with the multiple subjects is also present, based on the needs of the school, within the school. Also, as a veteran teacher, I am concerned about what I have to do. It is well that the students are coming out of school now highly qualified, but I need to know what I need to do.

And the other thing is I think as we are talking about competency in the content area, we also need competency in areas such as teaching not just the child, teaching the learning disabled child.



Those are two strong areas which—I don't know which is the give and take, but those also require time and dedication to get anything done.

Senator ALEXANDER. Senator Sessions, had you finished?

Senator SESSIONS. Yes. I just wanted to correct something I said earlier. The survey in Washington State said that 40 percent of the teachers plan to get out of the field within 5 years. That would be more accurate than what my recollection was earlier. I think that is pretty sad, and a lot of that is because of paperwork and things that they feel are separating them from the profession they were trained for.

Mr. HAGER. Senator, just two points on that. We do have in the regulations a model demonstration on reduced paperwork which was part of the law, as you know. And the second thing is, part of our job is to inspire these individuals who are in special education to try to explain why this is important, what the results will be, and try to get everybody on the bandwagon. So we have got a big job to do.

Excuse me, Mr. Chairman.

Senator ALEXANDER. No, that is all right.

Senator Reed?

Senator REED. Well, thank you, Mr. Chairman, and I want to thank all the witnesses who have come today not to testify, but to converse with the committee. I think this is an interesting way to do it and I applaud the chairman for his initiative on this.

Secretary Hager, again, thank you for your service. We just reauthorized the IDEA. One of the provisions which I helped draft is designed to help localities recruit, train, and support the professional development of all teachers, but especially special education teachers. Among the provisions is the State Personnel Development Grants. It is a rather meager amount of money, \$51 million, but this is scheduled for elimination in the President's budget. How are we going to respond to the needs that we all agree are incumbent upon us if we don't have resources, and again, modest resources, \$51 million across the country, to at least give the States a little bit of help?

Mr. HAGER. That is an excellent question. I am going to let Carolyn—she knows the details of that budget provision.

Ms. SNOWBARGER. You know, there are \$3 billion in title II funds available to support teachers and they can be used to pay incentives for teachers to go into rural or urban areas. They can also be used to provide training for teachers so that they can become highly qualified, and States and districts do have the flexibility to determine how best to use these funds.

Senator REED. But I don't think anyone around this table would say those funds are adequate for the task, I mean, at least I don't think so. And here is a program that is designed particularly to assist the States in the preparation of teachers. Are those \$3 billion used for recruiting also?

Ms. SNOWBARGER. They certainly can be used for recruiting teachers and retaining teachers and paying bonuses. The State of Hawaii has done magnificent work in recruiting special education teachers using their title II dollars.

Senator REED. Those title II dollars are for the No Child Left Behind Act?

Ms. SNOWBARGER. Yes.

Senator REED. Again, one of the points of our reauthorization of the IDEA was to focus specifically on special education and to give an emphasis to recruitment, preparation, and training of special education teachers. Hawaii might be doing that, but I am sure there are other States who are just trying their best to staff their classrooms with general education teachers. Again, there is a lot of discussion about time, but in addition to time, you need resources, and I find a budget that can't fund at least this modest amount is, I think—

Mr. HAGER. Senator, if I could also comment specifically on the provision you asked about, personnel preparation, it was my understanding that even though it was not in the 2006 budget proposal, that there was enough money still available—I don't know whether it is forward funding or what the technical description is, but there was enough money to continue that program for 1 more year and that the reason it was left out of this 2006 budget was a catch-up type of provision where the money would catch up with the fiscal year and it would be put back in next year.

So I don't believe that that is actually discontinuing those personnel preparation grants. I think it is a funding anomaly—

Senator REED. Could you provide us with some information, because I am very interested.

Mr. HAGER. I will be glad to, but I believe that that was the situation in that specific instance.

Senator REED. Let me follow up about another provision, which is IDEA Part D, Subpart 2. This is the personnel preparation program, and it is designed to provide grants to localities to help general education teachers educate students with disabilities in regular classrooms. You know, there is an effort to mainstream students. I think it is a very noble and beneficial effort. But now you have general education teachers who need extra skills, if you will, to be effective when it comes to the special education students they teach.

Do you have an idea about the competition for these grants under Part D, Subpart 2 of IDEA? Could you look into it and please get back to me?

Mr. HAGER. I will be glad to.

Senator REED. Thank you so much.

And finally, a question that has been alluded to by my colleagues, and this pertains to the fact that so many teachers, both general education and special education teachers, are leaving the classroom really early. Dr. McLeskey, we have this terrible turnover rate among teachers, particularly special education teachers. How do we have effective teacher preparation programs in colleges that not only prepare teachers to go in the first day of school, but give them the skills and the motivation or whatever it takes to be committed to a teaching career over many years?

Mr. MCLESKEY. There are so many ways to respond to that question, but I think it is important to recognize that teacher attrition is much higher among alternatively-certified teachers who don't go through higher education teacher preparation programs than for

those who go through teacher preparation programs. I think it is also much lower attrition among teachers who go into school settings with the type of professional development support you were just talking about.

I was in a meeting yesterday with five directors of special education from small rural school districts on our professional development partnerships that those professional development funds support in the State of Florida and they were talking about the impact that those funds had had by providing continuing professional development and supporting teachers who needed additional support once they got into the classroom.

And that really comes to a final issue that I think is really important in that we produce in higher education programs initial teachers who are novices. I think education may be the only area, and special education is probably as guilty of that as any, where we produce a novice first-year 22-year-old teacher, let us say, that is expected to do the same thing a master teacher does in a classroom. And quite frankly, we can't produce 22-year-old teachers out of undergraduate programs who are as expert as a master teacher like my colleague from Connecticut here and others. It just takes time, support within schools to do that. So I think we have to look at differentiating roles as far as teachers are concerned when they begin teaching and also provide support for them through professional development programs and so forth.

Senator REED. Thank you very much, Doctor. Thank you, Mr. Chairman. Thank you very much.

Senator ALEXANDER. Thank you, Senator Reed.

We are coming toward the end of our time and I want to see if I can summarize and then ask Senator Sessions if he has any concluding remarks.

In part of my summary, I would like to ask you how many teachers we are talking about. I have done my back-of-the-envelope estimate, but we are talking about teachers, special education teachers of severely disabled children in middle school and high school, because they may be asked to teach multiple subjects. Not all of them will. Does anybody have a number?

Ms. BAGLIN. I would just like to say that for Maryland, we have asked that question, but it is very difficult because many of them change assignments. There is lots of turnover. So even if we had a number for today, it would not be the same for the following school year.

Senator ALEXANDER. That might be different for the next—right. But we are not talking about four and we are not talking about 4 million. What number are we talking about? I mean, there are 400,000 special education teachers. The figures I have got are 400,000 special education teachers who are certified, is that right, Kristin, something like that? Four-hundred-and-three-thousand special education teachers employed in the country.

Mr. HAGER. That sounds about right. Of course, some special education teachers are also regular education teachers, so definitions get involved—

Senator ALEXANDER. And some of those are in elementary school, so maybe 60 percent would be in middle or high school. Would that sound right? So 60 percent of 400,000, that is 240,000. And would

we say that most of them might be expected to teach multiple subjects? We don't know exactly how many, but that might be 200,000 out of 240,000, would that be a ballpark number?

Mr. MCLESKEY. You know, I would speculate it would be a bit lower. As I think about this, I think about the LRE mandate, as well, and I think high quality services that are provided to students in middle school and high school are often provided by general education teachers with support from special education teachers.

I also—we talked about a hypothetical earlier from Morgan County, I believe. I have been a high school and middle school special education teacher and I really question the prudence of having a special education teacher try to teach four or five subjects—or any human being, for that matter, general education teacher, either—to try to teach that many subject matter areas. And when I look at it, I certainly think we need highly qualified teachers. But I would argue that there are service delivery issues in rural counties and other places that can address that.

There is a middle school teacher where my kids go to school, special education teacher who is highly qualified and who will remain highly qualified under this mandate because general education teachers provide content area subject matter instruction in that middle school.

Senator ALEXANDER. I am just trying to get a picture of who we are talking about. So it sounds like we may be talking about less than 200,000 teachers who are middle and high school. It is probably more than 100,000. You would doubt that?

Mr. MCLESKEY. Well, I think according to LRE data, that IDEA data out of U.S. Department of Education, provides, I think, students with disability spend 75 to 80 percent of their time in general education classrooms. So I would speculate more like 20,000, 30,000, 40,000, maybe at the most we are talking about. It doesn't mean it is not an issue, but I think the numbers are relatively small.

Senator ALEXANDER. Well, you are the ones who are doing the regulations. It would probably be wise to know who the regulation might affect. It could make a big difference if it is 20,000 or 30,000.

Let us go to Tennessee, or Maryland. How many teachers would you suppose in Maryland? Do you have any range of the number of teachers who might be affected by this deadline, this May 6 deadline we are talking about?

Ms. SEIVERS. In Tennessee, we anticipate about 15 percent, but large numbers of those are currently teaching on permits and waivers.

Senator ALEXANDER. Fifteen percent of—

Ms. SEIVERS. Of 6,000.

Senator ALEXANDER. OK. So that is 800, 900?

Ms. SEIVERS. But you made a distinction earlier, and I think it is a complex issue, but it is whether or not this teacher is the teacher of record. If the special education teacher assists or works with a classroom teacher who is highly qualified, then that special education teacher does not have to be highly qualified in content area. So a lot of these teachers for us, we don't know if they are teachers of record, if they are a self-contained classroom for stu-

dents with severe disabilities, if they simply work in a tutorial kind of way with the classroom teacher. We have no way of knowing at this point what category they fit into.

Senator ALEXANDER. Well, let us say you are the teacher in Memphis or Morgan County or wherever you are. Do you know which category you fit into, or do you not know the category yet?

Ms. SEIVERS. In the more rural areas, a teacher could fit in more than one category, depending on the number of teachers, the number of subjects. It is just—

Senator ALEXANDER. Well, what I am trying to do—I think the whole point of this is to identify them. If there are 400,000 special education teachers like Mr. Connolly around the country who know this deadline is coming, May 2006, their question is, what does it mean for me? And we know that if they are a new teacher, that doesn't mean much yet because they have got 2 more years, is that right, for this?

Ms. SEIVERS. Yes.

Senator ALEXANDER. But if they are a veteran teacher and they teach multiple, they may be asked to teach multiple subjects. As I assume you do. Maybe you don't. You teach reading.

Mr. CONNOLLY. Right, reading.

Senator ALEXANDER. But if you are in middle and high school and you may be asked to teach several subjects, I guess it sounds like the odds are it may apply to you. So I guess what we have also said is that the Department, in record time, is likely to have a regulation by the end of the year, maybe in November. The regulations will make it more clear how much more flexibility a State might have for these teachers. But in the meantime, there already exists a requirement that every State that would permit a teacher to know what a teacher had to do to become highly qualified. There just may be more options after November because of the change in the law and the new regulation that comes out.

It seems to me that the important thing to do would be to communicate through the various associations and State Departments, as you are already doing. I want to thank Secretary Hager and Secretary Spellings for moving so rapidly on a problem that is really, to the extent there is a time problem. Congress caused it, not the Department of Education, and you have made it a priority and worked hard to resolve the problem.

But I think if there are only 20,000 or 30,000 of the 400,000 special education teachers, I think that is important information that needs to be pretty broadly disseminated. And so anything that could be done from the Department based on this discussion or State-by-State that could identify the profile of the kind of teacher who might be affected by this, I think that could help.

I came into office after No Child Left Behind had been enacted. I know Commissioner Seivers became Commissioner of Education just as it was becoming effective. My estimate was that there was a lot of consternation that came with No Child Left Behind. My estimate was that about 70 percent of it was mystery and confusion and misunderstanding about what the Federal law required and what the State law required. I know that Commissioner Seivers and I actually sat down with the Assistant Secretary 1 day and we worked through a lot of that.

So there is no need for us to be anxious about things that we don't need to be anxious about. So if I am one of 380,000 special education teachers who may not be affected by this, I think the sooner I know that, the better. If it is 300,000 instead of 380,000, that would be helpful to know, too.

I commend you, Mr. Assistant Secretary, for getting the word out, and the whole purpose of this discussion today is to try to help those teachers like Mr. Connolly and others know what they need to do and when they need to do it, and to help Commissioners like Maryland and Tennessee, and superintendents know what the regulations—what they will be permitted to do in developing their own situations, and help parents and others understand that this is coming. It can't be done immediately, but there are these requirements already in place. There are these regulations which will be here by the end of the year. There is a deadline then to deal with by May 2006.

Senator Sessions, what would you like to add? This was his amendment, after all, that got me interested in this, so I thank him for that.

Senator SESSIONS. Thank you for your leadership. Two weeks ago, at a church in Mobile, I had a special education teacher with a, I think she has a Master's degree, has been doing it nearly 20 years, and was very upset, very confused. She is teaching at Murphy High School, a big inner-city blue ribbon school in Mobile, evenly racially matched, about 50-50, and an excellent high school. Both my daughters went there.

But she was really upset, and so I am thinking, this thing is not over yet. I thought things were getting better, but she was really upset. So like you said, I am not sure what people are hearing, but it has not gotten there yet, and any extent to which you can preempt some of that, I think, would be better.

You did mention two things that I hope that we will be able to make prompt progress on. One would be the rural schools definition. I think the definition is not adequate. And number two, the paperwork that I know you are working to reduce that and I hope our legislation helps you to do paperwork in a way that works.

Also, I have found that with regard to No Child Left Behind and, I think, our reauthorization, that States have regulations, too. I know with regard to No Child Left Behind, most of the complaints I heard from Alabama were because the State Department had far more rigorous standards than were required under No Child Left Behind, but I think they blamed it all on me.

[Laughter.]

You doing all this, this No Child Left Behind? I said, no, we only required, what, three tests in elementary school. We have a rigorous graduation exam and testing every year and all of that. Alabama didn't have to pass any more tests because they were already doing more, which I was proud of, really.

And I think our standards for teachers allow the States to set highly qualified standards higher than the Federal Government requires, is that correct? I mean, a State does not have to take the minimum standards the Federal Government set, Mr. Hager. They could set higher standards, is that right, because they believe it would be better for the children?

Mr. HAGER. That is right.

Senator SESSIONS. And so some things that are happening here really are the result of the States wanting to step forward and do even better, which I suppose we should salute and be proud of.

I thank you all for being here. This is a very, very important subject. I don't know yet we have a real handle on it. I think when I was a prosecutor for so many years, you would have people come to you with a theory on crime, and they were absolutely convinced they knew what to do. But every crime is different. I mean, there are some people who just make a mistake. Some people are murderers. And there is every scale in between. There is no one thing.

And our children that have disabilities have vast differences. It is very difficult for the Federal Government or State government to say, you must treat every child exactly the same when they clearly are not the same. And I visited in the schools and you just see that each child has different abilities, and our goal should always be to help every child reach their fullest potential and create a system that helps teachers do that rather than make it more difficult.

So thank you for your leadership, and I really enjoyed this discussion.

Senator ALEXANDER. We thank each of you for coming. I think this whole process has made some difference because it has caused the members of the Senate to focus on the issue. The Department of Education has bent over backwards, and the new Secretary, to try to move as rapidly as they could. You have also taught us some things today and reminded us of some things. We are always in a learning process here.

Let me conclude by inviting you, it will be—in a couple of years—time to reauthorize No Child Left Behind, the Elementary and Secondary Education Act. Our feeling is that we shouldn't just suddenly do that, that we ought to prepare for that by making sure we understand what is going on. So if you have specific suggestions, either now or later, about how to help this program meet its objectives in a way that creates the largest amount of flexibility and simplicity for the parents, teachers, and children involved, we would like to have it. You can give it to us or to our staffs and we would welcome the opportunity to include that in what we are doing.

Thank you very much.

[Additional material follows.]

## ADDITIONAL MATERIAL

## RESPONSE TO QUESTIONS OF SENATOR REED BY JOHN H. HAGER

*Question 1.* The newly reauthorized IDEA contains provisions I authored designed to help localities recruit, train, and support the professional development of all teachers, but especially special education teachers. And among the provisions is the State Personnel Development Grants. It is a rather meager amount of money, \$51 million, but this is scheduled for elimination in the President's budget. How are we going to respond to the needs that we all agree are incumbent upon us if we don't have resources, and again, modest resources, \$51 million across the country, to at least give the States a little bit of help?

Answer 1. The Administration has not proposed to terminate the State Personnel Development Grants program. Rather, the Administration did not request funding for this program in the fiscal year 2006 budget because available unobligated balances from the fiscal year 2005 appropriation are sufficient to cover 2006 awards. The fiscal year 2005 appropriation will become available on July 1, 2005, and remain available for obligation through September 30, 2006. The fiscal year 2004 appropriation that remains available through September 30, 2005 will be used to support 41 continuation awards made under the State Improvement Grants program and 9 new State Personnel Development awards to be made in 2005. Fiscal year 2005 funds will be used to support 32 State Improvement Grant continuation awards and 17 State Personnel Development awards, including 9 continuation and 8 new grants, in fiscal year 2006.

*Question 2.* Please provide additional information on your comment from the roundtable that "even though it [*funding for personnel development*] was not in the 2006 budget proposal, that there was enough money still available—I don't know whether it is forward funding or what the technical description is, but there was enough money to continue that program for 1 more year and that the reason it was left out of this 2006 budget was a catch up type of provision where the money would catch up with the fiscal year and it would be put back in next year. So I don't believe that that is actually discontinuing those personnel preparation grants. I think it is a funding anomaly."

Answer 2. See above.

*Question 3.* The other key provisions I authored are contained within the Personnel Preparation program, authorized under IDEA, Part D, Subpart 2. What are your plans in terms of grant competitions for the new focus on preparing general teachers to instruct students with disabilities in the regular classroom and for the new program to help beginning special educators successfully adapt to, and remain in, their new career?

Answer 3. Prior to the enactment of the 2004 amendments to the IDEA, OSEP recognized the need for general education teachers to be better prepared and responded through supporting two important initiatives:

- In October 2002, the Council of Chief State School Officers (CCSSO), through its Interstate New Teacher Assessment and Support Consortium (INTASC), received an award to develop the Center for Improving Teacher Quality (CTQ). The purpose of this national center is to work with States as they develop models to improve the preparation, licensing, and professional development of both general and special education teachers of students with disabilities. The award, which expires in fiscal year 2007, totals approximately \$5 million over 5 years.

CCSSO is collaborating with the National Association of State Directors of Special Education <<http://www.nasdse.org/>> (NASDSE), the American Association of Colleges of Teacher Education <<http://www.aacte.org/>> (AACTE), the Council for Exceptional Children <<http://www.cec.sped.org/>> (CEC), the Federal Regional Resource Centers (RRCs), and the Federal educational laboratories and comprehensive centers in creating and implementing this new Center.

The Center is building on INTASC's work of developing model policies that can help States drive systemic reform of their teacher licensing systems, particularly INTASC's Model Standards for Licensing General and Special Education Teachers of Students with Disabilities: A Resource for State Dialogue.

- In fiscal year 2001, OSEP awarded a 5-year, competitive grant (The IRIS Center for Faculty Enhancement, Award # H325F010003) to Vanderbilt University to develop an array of web-based training modules on critical topics related to supporting the education of children with disabilities in general education classrooms, for use by IHE faculty responsible for training general education teachers (see the IRIS Web site at <http://iris.peabody.vanderbilt.edu> for a complete description of the work



and accomplishments of the center to date). In 2006, OSEP intends to build upon the substantial work of the IRIS center by providing assistance to general education teacher training programs in IHEs, focusing in particular on those institutions that do not also have special education teacher training programs and hence, do not have ready access to faculty with special education expertise.

- OSERS is also working to help beginning special educators in a variety of ways. For example, OSEP encouraged applicants to the 2005 Combined Personnel Preparation competition (84.325K) to address the requirement to provide enhanced support for beginning special education teachers by including the following language in the priority: "Provided that there are a sufficient number of highly quality applications, a total of up to 5 awards will be to applicants training beginning special education teachers that demonstrate how the program is designed to meet objective (A) or (B) or both under section 662(b)(3) of the IDEA." In 2006, we intend to include an enhanced focus on this critical objective with a particular emphasis on the development and scaling up of models for providing high-quality mentoring and induction opportunities that are effective in retaining and enhancing the competencies of beginning special educators, particularly those teachers in schools with high special education teacher turnover rates.

[Whereupon, at 4:20 p.m., the subcommittee was adjourned.]

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